

VOLUME XXXIII

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Public Administration

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PUBLIC ADMINISTRATION

VOLUME XXXIII · SUMMER 1955

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Tribunals and Inquiries

By R. M. JACKSON

A lecture in the Institute's autumn series on Public Administration and the Law, delivered in London on 29th November, 1954. Dr. Jackson is Reader in Law in the University of Cambridge and a Fellow of St. John's College.

WHENEVER tribunals and inquiries are mentioned the tendency of most commentators is to concentrate on Ministers' powers. An example may be seen in the Summer, 1954, number of **PUBLIC ADMINISTRATION** in Lord Cooper's article on "Administrative Justice." The reader of that article gets the impression that there are two ways of dealing with disputes: law courts, and administrative tribunals staffed by civil servants. Lord Cooper makes suggestions for improving *the* tribunals, as if there is only one pattern. If we take a bird's-eye view of institutions at work on the settlement of disputes, we get a vastly complicated picture. It is doubtful if any classification would be entirely satisfactory, but we can sort out six different varieties.

1. Law courts, as ordinarily understood, together with courts-martial, ecclesiastical courts and other traditional jurisdictions, including, thanks to Manchester, the High Court of Chivalry.

2. Arbitrations. These are in theory voluntary, but often there is little choice. If I want to drive a car I must insure against third-party risks, and every insurance company puts an arbitration clause into its policy. In other words, for all practical purposes I am obliged to agree to arbitration or give up the car.

3. Domestic jurisdiction, by which is meant the internal control that professional, trade, social and other bodies exercise over their members. In some instances, notably the medical profession and solicitors, statute has intervened and the jurisdiction can be regarded as falling under the next heading.

4. Tribunals specially appointed under statutory authority to decide disputes. This is a very wide group indeed. Some of the tribunals are near to being specialised law courts; the Transport Tribunal and the Lands Tribunal appear in the *Civil Judicial Statistics*. This group includes the industrial court; pension appeal tribunals; rent tribunals; tribunals under social security legislation, Agriculture Acts, and so on. The members are partly amateur and partly professional. A common factor throughout this group is that the members are not civil servants.

5. There are some officials who exercise powers vested in them, that is to say they act in their own name and not on behalf of the Minister. Examples are district auditors and special commissioners of income tax.

6. Lastly there are officials acting on behalf of Ministers, the typical example to the public eye being an Inspector holding a public inquiry. The Inspector does not make the decision, but reports to the Minister and the decision is made in the name of the Minister, though whether he has actually made it, or it has been made by some official on his behalf, is not known.

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to the public. In both law and constitutional principle the decision is that of the Minister, and we should speak about these activities under the heading of Ministers' powers.

Much confusion comes from lumping together the last four, or the last three, of these different headings. Nearly all the general statements about "administrative justice" ignore the great distinctions between these different ways of making decisions. Thus when Lord Cooper talks about "the executive discharging as amateurs judicial functions," it is wide of the mark; many of the people administering domestic jurisdiction and staffing statutory tribunals are professional and not amateur, and none of them belong to the executive.

There are serious problems about all these bodies, not excluding the law courts. I must, however, confine this to narrower limits and hence my observations are about the fourth group (statutory tribunals) and the sixth group (Ministers' powers).

Statutory Tribunals

The present position is somewhat chaotic, but it is slowly improving. The principal points are the following :

1. There is too much complexity and proliferation of these bodies. It is of their essence that specialisation is needed, but it can go too far. A more manageable system may be produced by some form of grouping. A start has been made with the Lands Tribunal; a number of different jurisdictions relating to the valuation of land and kindred matters have been brought under it, and that process is still continuing. The social security tribunals have a fairly rational structure: by having the same person as Commissioner for National Insurance and Commissioner for Industrial Injuries we get the same effect as grouping, but less neatly.

2. Formal statement of membership is easy, that is to say the statute says who is to appoint the members and provides for their tenure of office and any other conditions. At present there is no general practice; appointments are made by the Crown or by the Lord Chancellor or by the Minister concerned with the subject matter. For some tribunals definite qualifications are laid down or members may have to be appointed from panels so that they are, in effect, representative people. The appointment may be for a period or with liability to dismissal at any time. The whole question of membership is one on which a great deal of nonsense is commonly talked. A little while ago I came across a Professor from U.S.A. who had read a little about our tribunals, and I found that he thought the whole system rotten because the members are generally appointed by Ministers. He just assumed that the whole purpose of such provisions is to enable the Minister to appoint persons to these tribunals who would represent the views of the Ministry and do just what they were told. He thought that was just too obvious. He even thought that the lawyer chairmen must be down-at-heel lawyers glad to get a job. I could only tell him what I know at first hand, of the quality of legal chairmen and of the high proportion of members of these various tribunals who also sit on local councils, magisterial benches, or are active in their trade unions and other organisations. What I was trying

TRIBUNALS AND INQUIRIES

to explain to him is a social pattern in which service on these bodies is a thing which public-spirited people will undertake. Now this question of who are appointed to these bodies is of vital importance and yet we know very little about it. It would be extremely valuable if a social survey were made in one or two regions to find out what the position is and to what extent there is overlapping with other public activities. There is one thing, however, of which I am quite certain: people who do this sort of work are in no way part of a Ministry or amenable to pressure or suggestions from a Ministry. Further, there seems no reason to believe that a Ministry ever tries to influence the decisions of any of these bodies. I have inquired of many people and have not found a single instance. There are a number of instances in which members of tribunals have been removed and replaced by other people, but the grounds for such removals have been refusal to carry out their job properly, including not following the ruling of appellate tribunals. Such interference with members is essential; it has to be done with Justices of the Peace. It is not tolerable to have any judicial body disregarding the rules they are required by law to follow. It is, however, undesirable that control of this sort should be exercised by a Minister in charge of the service to which the tribunal relates. Interventions are bound to be misrepresented and there is a very real danger that public confidence in a tribunal may be disturbed through the way in which such steps are taken. The Lord Chancellor is accustomed to these troubles with Justices and it would certainly be better if the whole field of appointment and dismissal were reviewed with a view to using the Lord Chancellor's Department to secure greater uniformity and greater public confidence.

3. There has been a long agitation to get a general system of appeals on points of law from special tribunals to the law courts. It was given in the case of pensions and in 1954 in respect of Agricultural Land Tribunals. There seems no good reason why it should not be made general.

4. A matter that has not yet received any attention is the provision of suitable clerks for these various tribunals. A clerk should keep a tribunal straight on procedure and on its powers, and thus leave the tribunal free to concentrate its attention upon evidence or arguments that are being put before it. This problem of clerks is difficult because they should not only be skilled in the particular statutory code that is to be applied by them, but they should also know the whole ethos of adjudicating. A good basis for providing a service of clerks for all manner of local tribunals might have been made by amalgamating Justices' Clerks and the staff of County Courts and District Registries of the High Court. The Justices of the Peace Act, 1949, has, however, set up new administrative arrangements for Justices' Clerks and that particular line of approach does not seem promising. I do not make definite suggestions about the clerking of these tribunals because a detailed inquiry would be needed before that could be done.

The tendency of the development in connection with special tribunals has, over the last few years, been towards making them a specialised part of the judicial system. That seems to me to be a right tendency; the process wants accelerating.

Ministers' Powers

Here we get to serious controversy. There is much criticism of the present state of affairs though it is difficult to gauge its volume or its weight. The lawyers lead the attack. Their argument runs on these lines : Where there is a dispute between the executive and a citizen over the rights of the citizen, and the power to give a decision has been given to a Minister, the principles of natural justice should prevail ; the Minister is virtually free to ignore those principles and very often does so ; therefore the present procedures are bad. To the lawyers that chain of argument seems so obvious that they proceed at once to put forward the remedy. Broadly speaking, proposals of lawyers fall into three groups :

(a) Some lawyers say that we should take these things out of the hands of Ministers altogether ; for instance, Lord Justice Denning, in his address to the Town Planning Institute in February, 1954, concluded that planning disputes should be decided by "a tribunal which is both independent and impartial." Mr. Anthony Cripps has called for "some impartial body of high repute, unconnected with the Government of the day or with any local or national body."

(b) Another view is that there should be far wider scope for judicial review. There is general agreement that the law courts must be able to decide whether the executive act is within its powers and whether the principles of natural justice have been observed. According to some lawyers, judicial review ought to go much further ; it ought to let a court decide whether there was substantial evidence on which the decision could be based, and whether the Minister proceeded on an erroneous basis or by reference to inadmissible considerations. At its strongest, the argument is that the citizen is helpless before a Government department and therefore a citizen should be able to arraign the civil servants responsible and bring them to account before some high tribunal. This is really a call for some English version of the French *Conseil d'Etat*. It is not clear whether the aim of recent proposals for a High Court judge sitting with assessors, is to give us a court able to decide policy questions or simply to review the way in which a decision has been made.

(c) Others think that we should effect a cure by amending the procedure. The best example comes from the Law Society :

(i) That public inquiries should be held with reasonable promptitude and the Minister's decision given with the utmost speed.

(ii) That where the views of any Government department are relevant factors in reaching a decision in connection with which the inquiry is held, these views should be made available to the parties in advance and should be open to discussion at the hearing, whether or not oral evidence is given at the hearing in support of those views.

(iii) That the reports of inspectors (including their review of the evidence) should be published.

(iv) That the Minister should always give reasons for any

TRIBUNALS AND INQUIRIES

departure from recommendations made in inspectors' reports, except where the Minister certifies in any particular case that on security grounds it would be injurious to the public interest to do so.

(v) That consideration should be given to the possibility of creating an independent inspectorate, under the Lord Chancellor, from which inspectors could be appointed by any Minister of the Crown to conduct a public inquiry.

The stock answer to the lawyers' complaints about the executive exercising these powers is that policy decisions ought to go to Ministers and that the court should not overhaul the policy. That seems to be an inadequate answer, because one can have a policy about nearly anything. It seems to me that the lawyers get us into a tangle by talking about "dispute," "judicial" and "quasi-judicial," and that other people who see that the lawyers' categories merely lead us astray, counter that offensive by producing categories of "executive" or "administrative" or "policy," the total effect being that we get pretty well lost in a fog of words. Let us try a different approach, take one or two typical examples and ask what it is that really has to be decided.

As good an example as any is an ordinary compulsory purchase order such as when the local education authority wants Blackacre for a school and the owner will not sell it. We know the procedure that will have gone on before that order is ever made; the local education authority will have considered the needs of its area, formulated its plans, discussed them with the Ministry and arrived at the general line of development. When it comes to carrying out this in respect of any particular school, the possible sites are considered and one is selected through the machinery of sub-committees, the Education Committee and the Council. A compulsory purchase order is then made. In one sense it is impossible to deny that there is a dispute between the local education authority and the owner of Blackacre, but if that is seen merely as a dispute over certain private rights, we miss the whole point, which is that what is in issue is the extension of the educational facilities of that area. Two decisions are involved. The first is whether a new school is needed in a particular area; the second is whether Blackacre is the best site. The possible use of an independent tribunal can be considered first on points of technique and then on the broader grounds of whether that is consistent with our conceptions of government.

I can see no technical difficulty in devising a tribunal and procedure to handle these cases. It would have to be inquisitorial, somewhat on the lines of a Royal Commission of inquiry, but with more scope for interested parties to insist on evidence and cross-examination. It would in fact turn out to be remarkably like a Committee on a Private Bill. The making of a development plan by a local authority is a drawn-out process as it is, but if done by a tribunal of inquiry it would take much longer. The selection of a site would involve consideration of the evidence of all persons having interests in all possible sites, for if Blackacre is to be spared, that will put Whiteacre in greater peril. The resemblance to Private Bills would appear not only in the procedure but also in the costs. There was a time when these sites were obtained by Bill or by Provisional Order, and F. E. Smith had to explain to the Commons that the cost was intolerable. It would be far

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cheaper to revert to still older practices and pay a fat price and get the land up, by agreement, to the slight benefit of the conveyancer and the distress of the advocate.

It may be said that if justice has to cost money, then we ought to pay up, and that we have no business to risk doing injustice to the owner of Blackacre because a fair trial would be expensive. That seems to me to be a gross distortion of what the whole business is about. This country has decided that it wants, and is going to have, a system of education of a certain pattern. To carry that out we must have innumerable local decisions and they have to be fitted into our pattern of representative democracy. That system requires that public affairs are settled by persons who are responsible to the public, and once you bring in any form of judicial process you lose that responsibility. We cannot run education, housing and so on without Blackacres, and he who settles the destiny of the various acres can control the services. The taking of Blackacre certainly ought to be justified, but to whom? Fundamentally the taking of Blackacre is an incident of a wider process and that process has to be justified politically (in the wide and not the party sense) primarily through the machinery of local government responsible to the local electors, and ultimately by the Minister responsible to Parliament. Admittedly a local council may be autocratic, but that calls for greater public interest in local government. The woes of the owner of Blackacre will not go unchampioned. Virtually the whole of the press is anti-authority in these affairs, and very willing to give publicity to anything that seems an abuse of power. An independent tribunal could not, of course, be turned out of office if the local people thought that its decisions were frustrating local developments. But there is more to it than that: the nearer a tribunal gets to being a judicial body, the less the public or the press can criticise its methods and its decisions. If I said some of the things that occur to me about certain High Court matters, my comments being no more adverse than the things lawyers say about the conduct of Ministers, I might get committed for contempt.

This is not to say that all forms of compulsory acquisition of land are merely a question of the development of a service. If the Minister of Agriculture says that a man is farming inefficiently, we do have a dispute really and properly as the lawyers think of disputes. It can perfectly well go to an independent tribunal, and it does. The case stands or falls on the evidence relating to the immediate issue. Each case can be considered in isolation. If the decision goes in favour of farmer A and in later cases B, C and D, and so on, that may be all to the good. Assuming competent tribunals, that simply means that things are not as bad as some people thought they were, but if an independent tribunal in a succession of adjudications refused to allow a local authority to have site A or B or C or D, then the local authority could not build the school or housing or anything else.

The conclusion seems to be inevitable that an independent tribunal could be used for a certain number of these cases, but it cannot be made a general feature without altering the basis of our kind of government.

Proposals for extension of judicial review of executive acts are harder to discuss, for it depends on what extensions are suggested. There is much to be said for having a properly designed procedure for ascertaining whether

TRIBUNALS AND INQUIRIES

requirements of statutes have been observed and for deciding points of law. If we go beyond that and allow the courts to examine the reasons for the Minister's action and whether there was substantial evidence, we end up by substituting the courts' view for that of the Minister.

If we now take the powers that I suggested cannot properly be referred to an independent tribunal, could we follow the Law Society's proposals and bring the proceedings more into accordance with "natural justice?" In particular, could we provide that these cases are to be cards-up on the table, making the Minister disclose his whole hand, showing all the evidence and his reasons?

I find it is very difficult. Our government system is built on ministerial responsibility. It is often said that this is pretty well a farce, but that depends entirely upon what is meant. If a Minister confirms a compulsory purchase order for Blackacre, the Minister is responsible to Parliament, but that is no adequate safeguard to the owner, for Parliament cannot go into the rights and wrongs of every compulsory acquisition. If it could, we could still use Private Bill procedure for all these instances and avoid the whole fuss and bother.

The doctrine of ministerial responsibility is something much more than a liability to answer questions in Parliament; it involves the pooling of Ministers' powers. In law a power may be given to the Crown to exercise by Order in Council, or by giving it to a particular Minister. Our ministerial system works on the supposition that all Ministers are a team and all powers are at the disposal of the Government, co-ordinated ultimately by the Cabinet. No single Minister can exercise his power in disregard of the views of other Ministers. The outside world is not to know whether the fate of Blackacre is settled by a civil servant without reference to his Minister, or whether it soared up to Ministerial level and reached the Cabinet.

It is claimed, particularly by lawyers, that when a Government department has views on a matter, these should be put before the Inspector along with all the other evidence, but I do not see how, for example, the Minister of Housing and Local Government could treat the representations of the Ministry of Agriculture as being simply evidence. One Minister cannot act as a judge over another Minister. If the officials of the two Ministers cannot agree, and the Permanent Secretaries cannot agree, it must go to the Ministers. There is an accepted course, which varies a little from Government to Government; it may go to the Lord President or some other Minister who is for the time being a general arbitrator, or to a Cabinet committee, or even to full Cabinet. The only way in which it would be possible to allow one Minister to overrule the representations of other Ministers, would be for those other Ministers to say in advance that they would accept his decision, but that would be unlikely to happen unless the issues were not very important.

It comes down to this: we cannot expect a Minister to behave very differently from the way he does unless we alter our ideas of Cabinet government.

Does this mean that we really cannot do anything about these powers? I think there are two things that could be done.

The first is that there should be a greater awareness in Ministries of the reasonable expectations of people whose rights may be affected. At an inquiry

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the case for the proposal ought to be put forward ; it has to be done when a local authority is involved, but when a Minister is proposing to acquire land (as for a roundabout on a trunk road) the inquiry is into objections and not into the pros and cons of the project. It is also highly desirable that decisions should be accompanied by some review of the factors involved and the reasons for the decision. I do not think that this can, or should, be a legal requirement in all cases. It is commonly done in planning appeals, and it could be done more generally. The purpose is to explain why the action has been taken. To listen to some lawyers one would think that the real purpose of " giving reasons " is to enable the courts to see if the reasons are adequate. If judicial control is to be extended, it would be better done by legislation than by judicial empire-building. But if the law is such that a property owner gets less than the market value of his property, it probably matters little what the Ministers do or what the courts do : he will consider that the whole business is unfair, and in most cases he will be right.

The second thing, which is far more important, is to have a Working Party to look at Ministers' powers to see which of them could be left to Ministers and which could go to some independent tribunal. I doubt if we could go by definition. There have been many attempts to define quasi-judicial, executive, policy and other terms in this field. They have only led to dogmatism. It is no good supposing that the Ministers' Powers Report represents a kind of ultimate wisdom ; its definitions will not stand up to any critical examination. I think we have to go on a very broad proposition, which is that if we can see any part of Ministers' powers where a dispute over an individual's rights could be referred to an independent tribunal, without running any risk of that wrecking the smooth working or development of the service, then it should go to such a tribunal. What I have in mind can be illustrated from provisions about clearance areas under Part III of the Housing Act.

For a clearance area a number of points have to be decided :

(a) Whether dwelling houses are unfit for human habitation by reason of disrepair or sanitary defect, or are dangerous or injurious to the health of the inhabitants of the area by reason of their bad arrangement or the narrowness or bad arrangement of the streets ; whether other buildings are dangerous or injurious in the same way.

(b) That the most satisfactory method of dealing with the conditions is demolition.

(c) That suitable accommodation is, or will be, available for people displaced.

(d) That the local authority has adequate resources.

The decisions about the state of the property affect the basis of compensation, and hence they are of great importance to the property owners. There seems no reason why any property owner should not be able to demand a reference to an independent tribunal for a decision about the state, and hence the classification, of his property, and why such a decision should not be binding on the authority. That would leave the local authority and the Minister to decide whether such a clearance scheme should go through as part of the general development of that town, and whether it ought to

TRIBUNALS AND INQUIRIES

go through at present, having regard to competing claims for capital development and similar considerations. By lumping all the points together as is done at present, and giving the decision to the Minister, we really invite property owners to take any steps that they can to attack clearance orders.

Licensing systems would yield the same type of division. If the granting or refusal of a licence, or interference with various rights, is a disciplinary matter or to ensure a particular standard, the decision can go to an independent tribunal. But where licensing is used for selecting the recipients of something that is in short supply and cannot be given to all applicants, it may be impracticable to let an independent tribunal handle the matter. There are quite serious difficulties over a judicial process for dividing a cake that is too small anyway. If A is entitled to be heard in substantiation of his claim, then, as the judgment for A must necessarily exclude some other applicant, the tribunal ought to hear all those who may be excluded (and allow everyone to know the evidence for and against everyone else) or they will be condemned unheard. But the reason for not letting any independent body handle these things is the fear that too much would be allocated: there are apt to be more applicants, all with equally good cases, than there are slices to go round, and allocations have just got to stop when the cake is all taken up. No government dare risk letting people have coupons, licences or permits that cannot be honoured.

If Ministers' powers were sorted out in this way, we should get a number of matters transferred from Ministers to independent tribunals, but it would undoubtedly leave quite a large field in which the responsibility would continue to rest fairly and squarely upon Ministers, and in which there would continue to be no effective appeal against their decision. It is never entirely satisfactory to find anyone in that position, not even Sir Andrew Clark sitting alone to hold an inquiry. We have to pay a price for the good things of life: we put up with a lot from the judges for the sake of an independent judiciary, and to have a government that can get its way, and be effective, we must allow the executive to have some powers which can hardly be controlled in individual cases.

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OF

The Redistribution of Seats

By DAVID BUTLER

Parliament has, in recent years, resorted to independent commissions on several occasions to handle matters for which, because of the political pressures involved, it might be particularly awkward for a Minister to have sole responsibility. The rearrangement of Parliamentary Constituencies is probably the most awkward of all administrative problems. Mr. Butler, Fellow of Nuffield College, analyses the recent experience of the Boundary Commission and poses the questions which he thinks require answer before any future boundary revision is attempted.

IN December, 1954, partly because of scenes in the House of Commons and partly because of a startling but speedily reversed decision of the High Court, considerable public attention was drawn to the problem of rearranging parliamentary constituencies. But few people appear to have realised how intricate the issues were or how unsatisfactorily one part of the constitutional machinery of this country was operating. Parliament, caught in a net of its own devising, was at the mercy of an independent statutory body against whose somewhat arbitrary and arguable decisions there appeared to be no effective appeal. Politicians and public servants, entangled in an awkward and unfamiliar situation, aggravated matters by their unimaginative conduct.

The issue has been settled for the time being (although the consequences of the redistribution were not felt until the 1955 general election¹), but the difficulties are likely to recur in five, ten, or fifteen years' time, unless full note is taken of the lessons of recent events. In this article, after a brief summary of the background, an attempt is made to analyse the dilemmas inherent in the current redistribution procedure. While some of these dilemmas are special to the drawing of parliamentary boundaries, many of them have parallels in other aspects of government and some of the lessons that emerge are of very general significance.

THE BACKGROUND

The redistribution of seats has been a rare event in British history. It occurred in 1832, in 1867-8, in 1885, and in 1918. In each case it took place on an *ad hoc* basis and was a part of a more comprehensive change in electoral arrangements, especially in the franchise. In the first three cases there was no attempt to establish numerical equality between constituencies. Only the grossest cases of over- and under-representation were remedied. But, following upon a recommendation of the Speaker's Conference of 1917,² the old Chartist principle of equal electoral districts was embodied in the 1918 redistribution. Substantial variations inevitably survived, but the Boundary Commissioners appointed specially for this purpose did their best to keep constituencies near to a national quota, and in doing so breached, for the first time, the principle of "communal" representation; they managed to respect borough and county boundaries, but they had to divide

¹Of course it also affected the L.C.C. elections held on 31st March, 1955.

²Cmd. 8463/1917, p. 4, paragraph 13.

78 rural districts between two or more constituencies to prevent excessive variations in electorate.

In the inter-war years some gross inequalities developed and by 1939 there were 20 constituencies with more than 100,000 electors—double the national quota—and 13 constituencies with under 30,000 electors. The wartime movement of population greatly exaggerated such disparities. In 1942 a departmental committee under Sir Sylvanus Vivian, the Registrar-General, investigated the situation and among other things recommended³ the establishment of permanent boundary commissions to make general reviews of constituencies once in the life of every normal Parliament, instead of leaving the situation to be dealt with only when gross anomalies had arisen. This recommendation was accepted without demur by the Speaker's Conference on Electoral Reform in 1944⁴ and by the Coalition Government which embodied it in the House of Commons (Redistribution of Seats) Act of 1944. The Act was slightly amended in 1946, and again in 1948, and finally repassed in a Consolidation Act—the House of Commons (Redistribution of Seats) Act of 1949. The Commissioners' first recommendations were to be dealt with by legislation and their subsequent proposals were to be given force as Orders in Council, subject to affirmative resolution.

Four separate Commissions were set up—for England, Scotland, Wales and Northern Ireland. Following the precedent established in 1918, they were each made up of five members. In order that they should be linked with the House of Commons and yet remain unpartisan, the Speaker was made the Chairman of each of them. The English Commission—with which this article will be principally concerned—included also the Registrar-General, the Director-General of the Ordnance Survey, and two others, one appointed by the Home Secretary and one by the Minister of Health (now the Minister of Housing and Local Government).⁵ The Act laid down brief but far-reaching rules to guide the Commissioners. They were to engage in a general review of constituency boundaries at intervals of not less than three nor more than seven years; they might also from time to time recommend individual changes to deal with special situations. The number of constituencies in Scotland and Wales was to be not less than 71 and 35 respectively and in Great Britain as a whole not substantially greater or less than 591—in 1948 this was changed to 613; Northern Ireland was to have 12 seats (Rule 1).⁶ "So far as practicable" constituencies should not cut across local government areas (Rule 4). The electorate in each constituency should "so far as practicable" be within 25 per cent. of the electoral quota—in 1946 this was changed to a less rigid formula "the electorate . . . shall be as near to the electoral quota as is practicable" (Rule 5). Local boundaries might be crossed if necessary to avoid "excessive

³Cmd. 6408/1942, pp. 21-24.

⁴Cmd. 6534/1944, pp. 4-6.

⁵The late Sir Roland Burrows was the first appointee of the Home Secretary and he served as Deputy Chairman of the Commission. In 1952 he was succeeded in both capacities by Mr. Erskine Simes, Q.C. Sir John Maude (Permanent Secretary at the Ministry of Health, 1940-45) has served as the Minister of Health's nominee since the beginning of 1946.

⁶See the Second Schedule of the House of Commons (Redistribution of Seats) Act, 1949, 12, 13 & 14 Geo. VI, cap. 66.

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disparities" from the quota (Rule 5). However, the Commissions might depart from these rules "if special geographical conditions, including in particular the size, shape and accessibility of a constituency, appear to them to render a departure desirable" (Rule 6).

The Boundary Commissioners set to work on their first general review in 1946 and speedily found that the original rules limiting constituencies to within 25 per cent. of the quota were too narrow. The Labour Government, by the House of Commons (Redistribution of Seats) Act, 1946, relaxed the rules and the Commissioners were able to produce their initial reports in the autumn of 1947. Their recommendations were enacted as a Schedule to the Representation of the People Act of 1948. While the Bill was being debated, the Government, responding to a protest from Mr. Dalton (then a back-bencher) against the difference of over 6,000 between the average electorate in borough and county seats, asked the English Boundary Commissioners to produce recommendations for 17 extra seats—nine of them to go to the nine largest cities in England and the others to the eight single-member boroughs with electorates over 80,000. This action was widely attacked by the Conservatives as shameless gerrymandering, but the Government carried through the change. As Mr. H. G. Nicholas has shown, the seats may not have benefited Labour as much as some people have suggested.⁷ But that is not important for the purposes of this article; what is significant is the fact that, if in preparing their initial recommendation in 1947 the English Boundary Commissioners had known that they would have 17 more seats to allot, and if they had been told to cut down the disparity between county and borough seats, they would not have created precisely those 17 extra constituencies: they might well have modified their proposals in parts of the country where there were no very large cities or single-member boroughs over 80,000. It was this patchwork modification of the initial 1947 proposals which was one of the main causes of the Commissioners' difficulties in 1954. The Commissioners may have been wrong in 1947 in seeking to favour the county seats as much as they did—the point will be argued later—but the action of Parliament in changing one section of their proposals without touching the remainder inevitably created anomalies which would have to be dealt with in the next general redistribution and which, indeed, were to prove the major source of trouble when it came.

This, however, was not widely appreciated. Despite the recriminations over the 17 extra seats, it was felt after 1948 that satisfactory permanent machinery existed which would settle any future difficulties over redistribution and prevent any gross disparities from developing. Parliamentarians, party officials, civil servants, and academic observers showed lamentably bad foresight.⁸

The Course of Recent Events

On 28th August, 1953, the Boundary Commissioners announced in the *London Gazette* their intention of commencing a general review of

⁷See H. G. Nicholas, *The British General Election of 1950* (London, 1951), pp. 4-5.

⁸For a fuller account of the recent history of redistribution procedure see *The Electoral System in Britain 1918-1951* by D. E. Butler (Oxford, 1953), especially pp. 205-211.

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constituencies. Between November, 1953, and June, 1954, they published their provisional recommendations in local newspapers throughout the country and invited representations about them. In some cases they appointed Assistant Commissioners to hold local enquiries. On 19th November, 1954, they published their Final Reports. Their Reports were debated in Parliament on 15th December, 1954, and draft Orders based upon their recommendations were presented to the House of Commons by the Home Secretary and discussed in prolonged debates on 15th and 16th December and 26th January, 1955. Certain Orders were the subject of lawsuits at the time of the debates in December. All the Orders survived their various challenges and were approved by the Queen. They took effect at the last general election.

Such, baldly, is the course of events. This article is not the place to indulge in detailed narrative or to expand upon the dramatic clashes that occurred in the week before Christmas. What will follow is an attempt to find out the cause of the trouble. It is based primarily upon the evidence available in the Reports of the Boundary Commissioners and in the proceedings in the Courts and in Parliament, and secondarily on fairly extensive personal enquiries and discussions.

THE PROCEDURE OF THE BOUNDARY COMMISSIONERS

1. *Timing*

The first cause of trouble lay in the Boundary Commissioners' decision not to commence their first general review until almost the last practicable moment. For this delay it could perhaps be argued that, since over-frequent redistribution was undesirable, the Commissioners were right to wait as long as the Act permitted. But in fact the plain intention behind the considerable latitude which the Act gave them in timing their general reviews (three to seven years) was that they should revise boundaries once in the life of each normal four- or five-year Parliament.⁹ After the 1951 General Election, it was soon clear that the Conservatives intended to stay in office for a reasonably full term. Since the Boundary Commissioners were obliged by statute to take action not later than 1954,¹⁰ they obviously should have started work immediately. It was argued that the life of the Government was a political matter to which they should have no regard. But, since it is difficult to hold an election while redistribution is actually under way, the Commissioners, by delaying redistribution to a time when a general election was likely to be under serious consideration, were obviously running the risk of influencing political events. Moreover they were ignoring the plain intention of the Act which had given them flexibility of timing in order to fit in with the flexible life of Parliaments.

But it is not just for the convenience of Governments wondering when

⁹See paragraph 98 of the Vivian Committee report (Cmnd. 6408/1942, p. 21).¹¹ On this matter the Vivian Committee report was fully accepted by the Speaker's Conference of 1944 and served as the basis for the provisions on timing in the House of Commons (Redistribution of Seats) Acts of 1944 and 1949.

¹⁰The House of Commons (Redistribution of Seats) Act, 1949, laid down that the first periodical report should be submitted not more than seven years from the passing of the Representation of the People Act, 1948 (i.e., 30th July, 1955), but that reports recommending that no change be made should be submitted after not more than six years (i.e., 30th July, 1954).

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to dissolve that redistribution should take place early in the duration of a Parliament. It is also desirable for the well-being of political life throughout the country. It takes some time for party organisations in new constituencies to become established and to function efficiently and it is not a good thing for them to be forced to select candidates and to fight elections within a few weeks of coming into existence.

A third reason for an early start by the Boundary Commissioners is that the actual business of redistribution takes time. On this occasion eighteen months elapsed between the announcement in the *London Gazette* and the Queen's approval of the final Orders ; and there was some evidence of undue haste in the parliamentary proceedings, primarily caused, it would seem, by the desire to make the changes in time for the London County Council elections in March, 1955. In future it might be well to assume that at least two years must be allowed for the completion of a comprehensive and just review of boundaries.¹¹

2. *The Provisional Recommendations*

The English Boundary Commissioners described the first stage of their work thus : " We had before us particulars, provided by the General Register Office, of the electorates of each administrative area as at 15th March, 1953, and maps, prepared for us by the Ordnance Survey Department, showing in detail all the administrative areas in England. On the basis of this information, we formulated provisional recommendations and published them locally. . . . We did not invite suggestions from outside bodies before framing our provisional recommendations, but where any suggestions were volunteered we took them into account."¹² (Italics mine.) The propriety of this procedure is surely questionable. The political parties and the local authorities which took the initiative and submitted representations had their views considered. Those who did not know that the Commissioners were at work, or who modestly waited for an invitation before making suggestions, had no say until the provisional recommendations were published. In short the enterprising had two bites at the cherry and the others only one. On this occasion the Conservatives, being the more efficiently organised of the two parties, seem to have been more energetic in making early representations.

The Boundary Commissioners are, of course, a quasi-judicial body and they certainly would not tolerate any straining of the rules to benefit one or other party. However, situations must arise, particularly when a new seat is due to be allotted to an area, when two or three solutions, all equally consonant with the statutory rules, are possible. But while there may be little to choose between these solutions in the eyes of the Commissioners, their consequences for the parties may differ widely. The Commissioners very properly have no regard for party considerations, but when a recommendation, fitting all the rules, is volunteered from a local source,

¹¹It is only fair to add that Members of Parliament and party organisations showed as little foresight as the Commissioners about the need for an early start. Until Mr. Wedgwood Benn asked a Question on 23rd April, 1953 (H.C. Deb. vol. 514, c. 1390-1) there was no evidence of any public awareness that there was any problem—or even that a redistribution of seats was statutorily due to take place.

¹²Cmd. 9311/1954, p. 1, paragraph 5.

they may be inclined to accept it even though a rival local source could, if it had taken action, have produced an equally satisfactory scheme. The task of the Commissioners is an ungrateful one, but justice would more obviously be seen to be done if, in their initial work, they *either* publicly invited representations *or* ignored those volunteered to them.

3. *The Hearing of Objections*

The English Boundary Commissioners explain in their report how they secured local publicity for their proposals and they observe: "In general little objection was received where we had provisionally recommended that no alteration was required to be made, but a lively interest was shown in the effects of changes we proposed. . . . We caused seven local enquiries to be held. . . . [These] enabled us, in a number of instances, to reach final conclusions which, while according more with local wishes, are not inconsistent with our terms of reference."¹³

In the debates on the Reports and on the Orders there were many complaints that the English Boundary Commissioners had held too few local enquiries and that they had been cavalier in acknowledging the representations that they had received. Some of those in both parties who had attended local enquiries were sceptical about their value and, as the Parliamentary Under Secretary for the Home Office pointed out, some 50 such enquiries would have been needed to meet all the demands.¹⁴ But the holding of local enquiries in some of the more controversial centres would have served to allay suspicions that the Commissioners were arbitrarily drawing lines on a map without any appreciation of local sentiment. It is important that justice should be seen to be done. One cannot help feeling that more local enquiries should have been held and that, in any case, the grounds on which the decision whether or not to hold them was based should have been explained in the report. Moreover, while the charge that the Commissioners did not even acknowledge written representations made to them cannot be upheld, it is plain that when they decided not to hold particular local enquiries they never notified those who had demanded them, even when they were the Corporations of great cities. This sort of failure in public relations was one of the major causes of the irritation which the Commissioners subsequently manifested in Parliament.

There was another serious defect in the procedure followed by the English Boundary Commissioners. Taking note of the objections to their provisional recommendations, in their final recommendations they abandoned 41 of the proposed changes and in 33 other cases modified their suggestions. Against their final recommendations there was no appeal even though, in some of the 33 cases, the proposals were altogether new. When people were content with the provisional recommendations it is reasonable to suppose that they normally refrained from offering any comment to the Commissioners. Then, when it was too late to make representations, new proposals were produced. Even if people had made comments on the provisional recommendations, they might well have had further relevant observations

¹³Cmd. 9311/1954, pp. 1-2, paragraph 7.

¹⁴H.C. Deb., vol. 535, c. 2216, 16th December, 1954.

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to make on the new ones. As the Conservative member for Harrow Central said with reference to the proposals for Harrow : "The final report of the Commission puts forward an entirely new scheme which none of those concerned has had an opportunity of considering and on which none has had an opportunity for making representations. It has the effect . . . that all the safeguards of the procedure laid down in the Act have been by-passed and evaded."¹⁵

It would plainly have been easy to rectify this grievance if the Boundary Commissioners, by reason of their late start, had not been forced to hurry their final report. Where the Commissioners saw fit to revise their provisional recommendations, they could have published their second proposals in the same way that they had published their first and they could again have invited local representations. Indeed in one case they did, albeit accidentally, follow this procedure. Their provisional recommendations for Middlesbrough, published on 27th November, 1953, advocated no change, apparently owing to a clerical error. On 29th January, 1954, they issued new recommendations for the two constituencies in the city. But in the light of representations received, they reverted in their final report to their original idea of leaving Middlesbrough unchanged. Had they followed a similar procedure in Harrow, Plymouth and other places, they might have allayed justifiable grievances.

It is arguable that the Act gives the Commissioners no authority to publish revised provisional recommendations. If this is so, there is a strong case for amending the Act. But another solution would be for the Commissioners always to hold a local enquiry before adopting proposals which differ seriously from the provisional recommendations. They could then ensure that all possible alternatives had been discussed by all interested parties.

4. *The Reports*

The Commissioners for Wales and Northern Ireland recommended little or no change in their areas, but their reports¹⁶ gave full explanations of the representations they had received and of the decisions they had taken. The Scottish Commissioners, with more changes to cope with, were quite as exhaustive. Mr. Chuter Ede observed of their report¹⁷ : "I have rarely read a parliamentary document which gave me as much pleasure. . . . It took each change which the Commissioners proposed to make and described to us how the change came to be suggested to them."¹⁸ But as Mr. Ede went on to observe : "One would have found it a great deal easier to consider the English report if something of the same kind had been done." But the English report, dealing with 511 constituencies, was only half a page longer than the Scottish report. The English Commissioners gave only the most cursory justification of their more controversial general interpretations of their statutory rules, and in only half a dozen instances did they offer any reason why specific constituencies had been altered. To the objection that to give full details would have made their report very bulky it must be

¹⁵H.C. Deb., vol. 536, c. 189, 26th January, 1955.

¹⁶Cmd. 9313/1954 and Cmd. 9314/1954.

¹⁷Cmd. 9312/1954. The English report was Cmd. 9311/1954.

¹⁸H.C. Deb., vol. 535, c. 1795-6, 15th December, 1954.

replied that every constituency is as important as every other and English electors have quite as much right as those in Scotland or Wales to a full account of why their boundaries are changed or left alone. The inadequacies of the explanations in the English Commission's report were quite as responsible as its individual recommendations for the indignation it aroused.¹⁹

THE PRINCIPLES GUIDING THE BOUNDARY COMMISSIONERS

The statutory rules²⁰ for the guidance of the Boundary Commissioners are ambiguous and inadequate. The interpretations placed upon them by the Commissioners in their 1954 reports were widely challenged both in Parliament and in the Courts. Controversy seemed to centre on seven points.

1. *The Electoral Quota*

The strongest attack was concentrated upon the English Boundary Commissioners' application of the rules regarding the electoral quota. It was clearly laid down that they should distribute seats "as far as is practicable, having regard to the [other] rules," on the basis of a quota derived by dividing the electorate of Great Britain by the existing number of seats—613. (This quota worked out in 1953 at 55,670.) It was also laid down that the total number of constituencies should not be substantially greater than 613. It was hard to reconcile these two provisions, for Scotland and Wales were guaranteed seats well in excess of the number suggested by the quota: Scotland was statutorily bound to have "not less than 71 seats" (giving an average electorate in 1953 of 48,011) and Wales to have "not less than 35" (it had 36 with an average electorate of 50,363). If England was allotted seats on the basis of the quota for Great Britain it would be entitled to 519—and the total number of seats would be raised from 613 to 626.²¹ Would an additional 13 seats constitute "a substantial increase"? The Commissioners decided that it would and that, since the representation of Scotland and Wales could be reduced by one seat at most, they would have no option but to allot seats in England on the basis of a higher quota. In fact they used a quota based on the English electorate and number of seats (57,122 in 1953). This is not the place to go into the legal arguments on the propriety of their conduct. The Court of Appeal on 20th December held that it was correct, although three days earlier Mr. Justice Roxburgh had thought otherwise. But it is proper to criticise the framers of the rules for their ambiguity and confusion. If a minimum of 106 seats was guaranteed to Scotland and Wales, and if the total number of seats could not be increased, it was absurd to ask the English Commissioners to work on a quota for Great Britain. But it is interesting to note that in 1947 the English Commissioners

¹⁹It is only fair to add that to this, as to most other points of criticism in 1954, the Boundary Commissioners could reply that they were only following the precedents they had set seven years earlier. In 1947, although their interpretations of the rules had for the most part been similar, and although their report had been as brief, there was no complaint.

²⁰See pp. 126-127 above.

²¹This is leaving out, of course, the 12 seats guaranteed to Northern Ireland which, having its own Parliament at Stormont, is treated differently as far as representation at Westminster is concerned. The average electorate in these 12 seats in 1953 was 72,913

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acted, as they did in 1954, on the basis of an English quota and that no one seriously challenged their action.

It is also worth observing that on this matter the Commissioners' critics were mainly concerned to show that, if an extra 13 seats had been created, most of the more painful changes would not have been necessary and, in particular, that it would have been possible to avoid reducing the representation of London and Lancashire. But even if, on the technical argument, the Courts had decided in their favour, it is still possible to question whether the creation of 13 extra seats would have been desirable. One may accept that the House is not impossibly large and that from 1801 to 1918 it flourished with from 33 to 45 more members than it now has. It may well be desirable to increase the size of the House of Commons, but one must feel doubts about the wisdom of doing so, not as a matter of general public policy, but simply as a way of mitigating the personal hardships and dislocations of redistribution. Redistribution can always be made relatively painless for existing vested interests if new seats are created. The temptation may be severe and, unless resisted, it could lead to a steady increase in the size of Parliament at successive redistributions. In 1954 the Boundary Commissioners did in fact decide that five more seats would not constitute "a substantial increase" (although thirteen would) and they raised the representation of England from 506 to 511. Given encouragement they might have escaped from all their worse dilemmas by creating still more seats.

2. *The County Basis of Allocation*

The Commissioners were much criticised for the method they followed in calculating whether areas of the country were over- or under-represented. In their Report²² they explained how by a simple division sum they worked out the number of seats each county was entitled to on the basis of the English quota. With a few exceptions they ruthlessly added or subtracted seats to suit the answer. Thus Lancashire and Yorkshire lost two seats each and London and Berkshire one each, while Essex gained two seats and nine other counties gained one each. There were some protests about the counties—Norfolk, Westmorland and Herefordshire in particular—which seemed to receive favoured treatment, but the more substantial objection was to the dislocation which the procedure necessarily involved for the more populous counties. Even with small movements of population Lancashire (62 seats), the West Riding (43 seats), Middlesex (29 seats) and London (42 seats) are likely to change their entitlement between each redistribution. But great alterations in population would be needed to affect the representation of Huntingdonshire (one seat) or Cambridgeshire (two seats). If the electorate of Lancashire changes by less than 2 per cent., its quota of seats will change. But the electorate of Cambridgeshire could change by 30 per cent. without affecting its claim to representation.

It is plain that if redistribution is based on counties and if county boundaries are regarded as virtually inviolable, constituency boundaries in the larger counties are bound to be far less stable than in the smaller ones. The Commissioners must find themselves compelled to disturb seats with

²²Cmd. 9311/1954, p. 2, paragraph 8.

electorates very near the quota merely to increase a county's representation. In Cheshire, for example, in 1954 it was largely because of the growing population of the Wirral peninsula that the county had become entitled to an extra seat: but the four Wirral constituencies were left untouched with an average electorate of 66,846 each while the new seat, Nantwich, was placed in an area of South Cheshire where the average electorate before redistribution was 62,263 and afterwards only 46,697. However, although there may have been errors in specific cases it is hard to see how the Commissioners could have found any unit other than the county for their initial calculations. One alternative, an attempt to patch and alter wherever there was a particularly large or small seat, might have had far more disproportionate results as a whole. Another alternative, an attempt to reallocate seats between sections of the country on the basis of areas larger than the county, would almost certainly have still more arbitrary and anomalous consequences. There may have been no specific mandate in the rules for the county basis of redistribution but, if county boundaries were to be sacred, the Commissioners had little choice. Their critics certainly suggested no better method.

3. *Allowances for Imminent Changes*

The Boundary Commissioners, while guided mainly by the 1953 and 1954 electoral registers, did take into account population trends. They wrote: "We have shaped our recommendations . . . to meet present and imminent local changes."²³ This was a change in policy from 1947 when they had implicitly refused to allow at all for future developments. It left them open to criticism mainly from those who thought they had inadequately anticipated new housing and that further changes would soon be needed. This argument was strongly used by members from Plymouth, Harrow, and Newcastle upon Tyne. One must sympathise with the Commissioners in the task of distinguishing imminent developments from city planners' dreams. But it would have helped if they had made plain by what criteria they were guided. What was "imminent"? How far ahead should they have looked? Should they have refrained from making changes which new building and slum clearance might render obsolete in one, in two, or in five years' time? It seems probable that they considered only changes which would affect the 1955 or at most the 1956 electoral registers. They might well have obviated criticism, however, without affecting many of their recommendations, by sticking rigorously to the existing 1954 figures.

4. *Violation of Local Government Boundaries*

There was much complaint about recommendations which divided urban or rural districts between two or more divisions or which put part of a borough in a county. The Commissioners' answer lay plainly in the rule that the electorate of any constituency should be as near the electoral quota "as practicable." They could claim that they had liberally interpreted their mandate to preserve local boundaries "so far as is practicable," even at the expense of departing from the quota.

²³Cmd. 9311/1954, p. 3, paragraph 16.

5. *Excessive Devotion to Numbers*

Complaints about the violation of local boundaries were often linked to charges that the Commissioners had been unduly addicted to mathematical equations. Harrow, Plymouth, and Southampton were alleged to provide notable examples of changes where large bodies of electors were being moved from one constituency to another to no purpose. In Plymouth 30,000 electors were being transferred between constituencies in order to reduce a discrepancy of less than 10,000 between the city's two seats. The Commissioners were not even consistent; they made changes in Plymouth with constituencies of 75,006 and 65,321, but they decided, in the end, to leave alone Islington with constituencies of 57,576, 49,289 and 59,678.²⁴ The Commissioners were well aware of the difficulty and in their report they wrote: "In many areas . . . the terms of Rule 5 [requiring adherence to the electoral quota] left us no alternative to making provisional recommendations designed to bring electorates into closer conformity with the electoral quota. . . . In representations received by us there has been unanimity among all political parties in voicing objection . . . to our proposals designed to give effect to Rule 5. In a number of cases we have felt able to modify our original proposals and to recommend that no alteration should be made although on a strict view of Rule 5 some adjustment of boundary would be justified. It would ease the future labours of the Commission and remove much local irritation if Rule 5 were to be amended so as to allow us to make recommendations preserving the *status quo* in any area where such a course appeared to be desirable and not inconsistent with the broad intention of the Rules."²⁵ The general sentiments of this paragraph cannot be contested. However, the Commissioners' admission that they had felt able to depart from a strict application of the rules is interesting in view of the way in which some of their more unsatisfactory decisions were extenuated by them, or by the Home Secretary explaining them, on the ground that they were bound strictly by the rules.

There was one particularly interesting application of strictly numerical considerations at the expense of local boundaries and local sentiment and in defiance of an earlier decision of the Boundary Commissioners. In 1947 the Commissioners had recommended for the central part of Berkshire the constituencies of Wokingham (45,578), Newbury (45,854), and Reading (84,068). In 1948 under the sub-division of boroughs with electorates of over 80,000 Reading was given an extra seat. In 1954 the Commissioners applying the quota decided that the extra seat must be taken away and proposed as new seats Wokingham (55,244), Newbury (57,260) and Reading (59,280). Each of the county seats received one ward from the borough. There were pleas from all parties that, if they must take away a seat, it should be done by returning to their 1947 proposals for this would avoid the dismemberment of the borough, but the Commissioners refused to make such a modification, apparently on the ground that Reading would then have over 80,000 electors—80,852 in fact. But the electorate had been even

²⁴They had produced provisional recommendations for a boundary change which would equalise the Islington electorates, but in their final report they advocated no change.

²⁵Cmd. 9311/1954, p. 4, paragraph 20.

larger at the time of the 1947 proposal and there had been no changes in the rules for redistribution since then. Either the Commissioners had altered their interpretation of the rules or they were trying to conform to the decision of Parliament in 1948 that there should be no seats of over 80,000 electors. If the latter was the case one can only observe that they certainly did not feel themselves rigidly bound by all of Parliament's decisions in 1948.

6. *The Ratio between Town and Country*

The ambiguity of the rules on the one hand and the authority of Parliament's decisions in 1948 on the other lay at the root of most of the controversy over the right of rural areas to greater representation. Rule 6 allowed the Commissioners to depart from the quota "if special geographical considerations, including in particular the size, shape and accessibility of a constituency, rendered it desirable." In 1947 the Commissioners wrote: "We were impressed by the advantages of accessibility [that large compact urban areas] . . . enjoy over widely scattered rural areas and we came to the conclusion that they could conveniently support electorates in excess of the quota." They also thought "a more generous allocation of seats should be made to counties containing large sparsely populated rural areas."²⁶

The 1947 proposals envisaged an average English county electorate of 55,360 and a borough electorate of 61,442. The 17 borough seats created by the Labour Government in 1948 lowered this borough average to 57,833. The Boundary Commissioners did not accept this decision of Parliament. In 1954 they wrote: "The modification of [our 1947] recommendations had the incidental effect of upsetting the balance we had thought appropriate between the electorates of urban and rural constituencies. . . . We see no reason to recede from the view expressed in our original report" (Cmd. 9211/1954, p. 3, paragraph 14). Now it is certainly not clear what was the original intention of Parliament in 1944 in referring to "special geographic considerations": it can be argued that it was trying to provide for the few exceptional cases like Orkney and Shetland, the Western Isles, and the hill counties of Scotland and Wales where, by common consent, it is appropriate for the electorate to be very far indeed below the national quota. There is no evidence that it was intended that there should be a general discrimination between borough and county constituencies. But even if the Boundary Commissioners were right to discriminate it would be interesting to know on what evidence they drew in deciding how much they should reduce the electorate of county divisions. They certainly never held any formal hearings to determine how much more difficult it was to represent a large acreage. They seem to have made an arbitrary assumption and an arbitrary allowance for that assumption. It is not intended here to challenge the assumption, but only to say that, if the assumption was valid, and if the Commissioners were empowered to take it into account, they made quite inadequate allowance for it. As the Home Secretary said, "I would suggest that it is very much more difficult to look after the interests of 50,000 constituents in a large rural area than 70,000 or 80,000 in an urban area."²⁷ If this is true—and

²⁶Cmd. 7260/1947, p. 5, paragraphs 12 and 14.

²⁷H.C. Deb., vol. 535, c. 2180, 16th December, 1954.

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although there are conflicting views²⁸, a majority of M.P.s would surely agree —then the allowance of 6,082²⁹ fewer electors given by the Commissioners to English county seats in 1947 and of 3,977³⁰ given by them in 1954 is quite inadequate. A difference of a few thousand electors cannot go very far towards alleviating the difficulties of a county member. It is fair to ask how the Commissioners arrived at it.

The question is important because it involved the most political of all the general decisions which the Commissioners were called upon to make. Everyone knows that the Labour Party is stronger in the boroughs and the Conservatives in the counties. To discriminate in favour of rural seats is to discriminate, willy-nilly, in favour of the Conservative Party. The difference of a few thousand votes is not perhaps serious and it can be pointed out that in 1950, although English borough seats had on the average 2,932 more electors than English county seats, the average electorate in English constituencies of all types returning Conservatives (55,889) was not so very much less than that in those returning Labour members (56,332).³¹ The objection cannot be that the Commissioners were partisan: it cannot even be that the consequences of this decision were seriously partisan. It can only be that they made a decision which, while hardly achieving its intended object—the alleviation of the lot of the rural member—laid its authors open to the charge of taking a step the consequences of which might have been partisan. At the very least, they were guilty of failing to explain the detailed basis for a decision which was one of the most critical they had to make.

It is necessary to revert to the other dilemma, which arose from the Boundary Commissioners' original decision in 1947 in favour of county seats and Parliament's attempt to reverse it by creating 17 extra borough seats in 1948. Parliament did not at that time change the rules guiding the Commissioners. Should the Commissioners have been influenced by the decision of Parliament when they set to work again in 1954? A study of paragraph 14 of their report does not make it clear what view they took on this question, but it would seem that they did not feel that their interpretation of the rules should be seriously changed by the Parliamentary modifications of their 1947 recommendations. On the other hand the Home Secretary plainly thought that they were subject to the 1948 decisions of Parliament. Referring to a specific case, he said: "Parliament having decided [that Nottingham should have four seats] . . . the Commission is placed in the position that it must either go against the decision of Parliament, which no one expects,³² or else give seven seats to Nottinghamshire."³³ The Boundary Commissioners had a difficult and ungrateful task and the Home Secretary (to whom they report but to whom, being an independent statutory

²⁸See H.C. Deb., vol. 535, c. 1807-8, c. 1819, c. 2195-6, 15th, 16th December, 1954.

²⁹H.C. Deb., vol. 448, c. 3025, 24th March, 1948.

³⁰H.C. Deb., vol. 535, c. 1798, 15th December, 1954.

³¹The figures for the United Kingdom are still closer, the average electorates in Conservative held seats in 1950 being 55,161, and in Labour held seats being 55,270. The explanation for this lies in the smaller electorates in the Labour stronghold of Wales and the larger electorates in the Conservative stronghold of Northern Ireland.

³²Italics mine.

³³H.C. Deb., vol. 536, c. 235, 26th January, 1955.

body, they are not answerable for their individual decisions) may have made their position more difficult by the interpretations he placed upon it in his speeches in the House of Commons. It is plain that they did not feel themselves fully bound to respect Parliament's decision about the town and country ratio. They increased the difference in the average electorate from 1,793 to 3,977.³⁴

7. General Principles

Among the heavy burdens placed upon the Commissioners, the problem of interpreting *ad hoc* decisions of Parliament must be merely added to the more basic problem of applying ambiguous statutory rules. As Mr. Pickthorn complained, "[We are not able] to prove arithmetically that the Commission has broken the rules either generally or particularly . . . because Rule 5 must be read in the light of Rule 4, Rule 4 in the light of Rule 3 and so on."³⁵ It was, of course, inevitable that in recommendations covering several hundred diverse constituencies there should be paradoxes and inconsistencies. For most of them the Commissioners could not possibly be blamed. However, while at many points they were bound strictly by rules, at many points they were asked to exercise their judgment on dubious points of law or policy. There is no questioning their endeavour to act justly and properly, but undoubtedly a number of their decisions were highly debatable and were given no adequate justification in their report, however well justified they may have been. The question therefore arises: Was there any effective appeal from their recommendations?

MEANS OF REDRESS

1. Redress from the Home Secretary

The House of Commons (Redistribution of Seats) Act, 1949, says that the Home Secretary must lay the recommendations of the Boundary Commissioners before Parliament in the form of draft Orders "with or without modification." Is it really open to the Home Secretary to modify the Commissioners' proposals if he thinks that they are ill-advised or improper? In theory he provides a Court of Appeal. But in practice, however objectionable the proposals may be, it would be still more objectionable if the Home Secretary or the Cabinet actually tried to vary the decisions of the Boundary Commissioners. The outcome of future general elections might well depend on boundary changes and any intervention by the Government would necessarily raise the suspicion of partisanship. Indeed in 1948 the decision to create 17 extra seats, whatever its intrinsic merits, inevitably caused serious allegations of gerrymandering. Only in the trivial case of misprints, or in the inconceivable case of gross malfeasance by the Commissioners, would it be tolerable for the Home Secretary to modify their proposals. In 1954 no one could seriously challenge Major Lloyd George's decision to present them unchanged to the House of Commons.³⁶

³⁴H.C. Deb., vol. 535, c. 1798, 15th December, 1954.

³⁵H.C. Deb., vol. 536, c. 236, 26th January, 1955.

³⁶For the Home Secretary's observations on this see H.C. Deb., vol. 535, c. 1785, 15th December, 1954.

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2. Redress from the Courts

If the Boundary Commissioners misinterpret the statutory rules, is there any redress in the Courts? In 1954 this issue was tested in two different ways by aggrieved electors seeking to annul the draft Orders. On Tuesday, 14th December, the day before the House of Commons was due to debate the Boundary Commissioners' Reports and the draft Orders, the Mayors and Councils of Hammersmith and Fulham sought from the High Court a mandatory injunction against the Boundary Commissioners for England which would require them to inform the Home Secretary that their proposals for Hammersmith and Fulham³⁷ were based on considerations not in accordance with the provisions laid down in the House of Commons (Redistribution of Seats) Act, 1949. The plaintiffs contended that the Commissioners had disregarded the rule providing that the electoral quota should be based on the electorate of Great Britain, not of England, and that they had violated the rule that boroughs should, as far as practicable, not be divided between two constituencies. Mr. Justice Harman refused the application, on the ground that, even if the Commissioners had disobeyed the rules, redress lay in Parliament where the Orders could be debated and could be accepted or rejected: the matter was "entirely unsuited to judicial intervention."³⁸

On Friday, 17th December, after the House of Commons had approved the draft Order relating to Manchester, the Lord Mayor of Manchester and one of its City Councillors sought an injunction to prevent the Home Secretary from submitting the Order to the Queen for approval on the ground that the report upon which it was based did not conform with the statutory rules: the grievances were the same as in the previous case—the Commissioners' choice of electoral quota and their violation of borough boundaries. After an *ex parte* statement by the plaintiffs' counsel (to which there was no reply, as the Attorney-General explained that he had not been briefed to oppose), Mr. Justice Roxburgh ruled that a *prima facie* case had been made out and granted an interim injunction.³⁹ His decision, of course, raised far wider issues than were involved in redistribution or the conduct of the Boundary Commissioners. Had the Courts the right to stand between a Minister and the Crown? Was this not a blow at the powers and privileges of Parliament? Various critics of the redistribution proposals were horrified at the genie which had been released from the bottle and when, on Monday, 20th December, the Court of Appeal reimprisoned him, the relief was widespread. The Master of the Rolls, delivering a unanimous judgment, reversed the interim injunction, ruling that the machinery set up under the Act did not leave room for the Courts to intervene at any stage. He incidentally concluded that the Commissioners' recommendations did not depart from the rules.⁴⁰

This article is not an appropriate place to enter into the subtleties of

³⁷The four constituencies of North and South Hammersmith and East and West Fulham were to be redivided into three—North Hammersmith, Fulham and Baron's Court (which would be half in each borough).

³⁸*The Times*, 15th December, 1954.

³⁹*The Times*, 18th December, 1954.

⁴⁰*The Times*, 21st December, 1954.

the legal argument or the constitutional implications of Mr. Justice Roxburgh's decision. The point that is essential here is that the Courts declared themselves incompetent to interfere, however much the Commissioners might have departed from their statutory instructions. As things stand, there can be no appeal to the Courts from the decisions of the Commissioners.

Would the possibility of such an appeal be desirable? Constitutionalists may argue over this question, but here three points must suffice. First, it was only because of the bad and ambiguous drafting of the Act that any question of reference to the Court arose. The controversy over the proper quota was due to lack of foresight in drawing up Rule 1. The loose phrase "so far as is practicable" might well have safeguarded the Boundary Commissioners from an adverse decision over the application of the other controversial rules (4, 5 and 6) even if it had been decided that their recommendations were subject to the jurisdiction of the Courts. Secondly, if the Courts were to be brought in, it was plainly desirable that this should be done only before Parliament had debated the matter: any later challenge constituted a threat to the omnicompetence of Parliament, and Britain has never welcomed the American principle of judicial review of the actions of the legislature. Thirdly, the argument that redress lay in Parliament, the central basis for the Court's denial that it had jurisdiction, was while theoretically and legally indisputable in practice a very dubious one. It was argued that any error of the Commissioners could be set right by Parliament which was free to accept or reject their recommendations. But did Parliament really possess that freedom?

3. *Redress from Parliament*

Parliament is in law a sovereign body, with complete liberty to act as it pleases on any matter laid before it. But on some issues it recognises that it is inappropriate for it to exercise its powers. It is not an institution suited to acting in a judicial capacity, particularly on matters affecting the fortunes of political parties and individual members. Eighty-five years ago one of the biggest advances in the purification of elections was brought about by the transfer of jurisdiction over election petitions from Parliament to the Courts: it had been found that Members of Parliament were incapable of stern and even-handed justice over their colleagues. Although the analogy is not exact, this provides a precedent relevant to the problems involved in letting the House of Commons make decisions on the future of individual constituencies—and hence of individual M.P.s: the difficulties were plainly demonstrated when Parliament came to debate the draft Orders giving effect to the 1954 recommendations of the Boundary Commissioners. Every single Order was approved, irrespective of anything said in the course of the debate, the Government having put on the Whips.⁴¹

Nor could it well be otherwise. Only a handful of members with local connections could appreciate the merits of the argument in any one case; only they could be sure of distinguishing the speeches solely designed for

⁴¹The Opposition divided the House on 16 of the Orders. In a few instances Conservative members directly affected by the Orders voted against them or abstained. But the number of rebels did not exceed two or three on any single Order.

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constituency consumption—of which there were many—from those which were based on a real sense of grievance and a desire to remedy a genuine error. A free vote on any issue would have been just as much a mockery of justice as an enforced acquiescence in the Commissioners' recommendations. Members would inevitably have been tempted in doubtful cases to accept those Orders which favoured their party and to reject those which favoured their opponents. In such a situation the majority party would have been only too likely to have had the best of the settlement.

Nor would it have been a satisfactory solution if the Government had been willing to withdraw individual Orders. Hard things were said in the course of the debates about the Home Secretary's refusal to be convinced by any argument. But if he had weakened in one instance and not in others, he would inevitably have been accused of partisanship. He could no more have been an acceptable judge at the end of a debate than he could have been at the earlier stage when he had the opportunity to modify the Commissioners' recommendations before presenting them to the House.

In these circumstances the debates on the reports of the Commissions and on the individual Orders were bound to be thoroughly unsatisfactory. But they had four aspects which call for particular comment.

(i) In the general debate there seemed to be no doubt that some members were embarrassed in their criticism of the Commissioners by the fact that the Speaker had served as their Chairman. Members, restrained by their natural respect for the Speaker personally, and by the tradition of official deference to him in debate, could not be as harsh as they might otherwise have been about the procedure and findings of the Commissions. Indeed, they ran a grave risk of being out of order. The Speaker ruled: "So far as my own part in the Commission is concerned, I must remind the House of the ancient and salutary rule, that any criticism, implied or expressed, of the Chair should be put down in the form of a Motion."⁴² It is true that the Speaker's part in the Commissions was probably a small one. He remarked later: "The House will realise that, as Chairman of the Commission, I cannot, myself, take part in all the individual decisions to which the Boundary Commissioners come. I am the only Member of Parliament on the Commission, and it would, I think, be improper for me to intervene so as to influence a decision by those independent gentlemen which might affect the constituency of another Member of this House."⁴³ One is forced to agree with the observations of Mr. Assheton: "I am sorry . . . that Mr. Speaker is the nominal Chairman of the Commission. I find that a rather embarrassing thing. If . . . legislation is introduced to deal with this problem of the work of the Boundary Commission, I suggest that it might be less awkward if the nominal Chairman is someone other than Mr. Speaker, because we all know that his heavy duties make it impossible for him to give detailed consideration to these questions."⁴⁴

⁴²H.C. Deb., vol. 535, c. 1920, 15th December, 1954.

⁴³H.C. Deb., vol. 535, c. 2449, 16th December, 1954.

⁴⁴H.C. Deb., vol. 535, c. 2125, 16th December, 1954.

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(ii) The ambivalent position of the Home Secretary was also a source of difficulty. The Boundary Commissions were statutory bodies, independent of him and yet, in some sense, he appeared before the House as a defender of their findings. He told the House bluntly: "I am not here as spokesman for the Commission . . . I have no power or right . . . to express its mind";⁴⁵ but throughout the debates he was advising the House to accept the Commissioners' reports and recommendations without alteration and attempting to answer some of the individual criticisms offered against them. He plainly depended on briefs emanating from the Commission. But at times these were quite inadequate. To straightforward and major objections to the proposals for Plymouth he could only answer: "I am not in a position to tell the Hon. Member for Devonport what he asks. I am sure he will appreciate that it is not possible for me to know all the details of all these cases. I am simply saying that the Commission, in its judgment, followed out the instructions given to it . . . I do not see how the House can do otherwise than support it."⁴⁶ In other instances he was more forthcoming, but the anomaly of the situation was emphasised by his Under-Secretary, Sir Hugh Lucas-Tooth, when he said: "Why the Commissioners chose to give effect to one recommendation and not another is not a matter on which it is possible to answer. In so far as we are responsible to the House, we must be responsible for deciding on the merits of the case and not on what is in the mind of the Commission."⁴⁷ Thus, the Under-Secretary was recommending the proposals to the House on their merits while his superior was saying that he was unable to answer for them individually.

(iii) The Home Secretary and the Government were repeatedly charged with treating the House with contempt. They were, of course, in a very difficult situation, if one accepts, as has been argued above, that they could not decently modify the proposals. But the absence of serious attempts to answer criticisms, both in the general debate on the Commissioners' reports and in the lesser discussion of individual orders, must jar on anyone who reads the relevant passages in *Hansard*. Indeed, failing an attempt to meet the arguments raised, the Government might have done better to fall back on a frank statement of the impossibility of making any change, however strong a case might be made out. As it was, the Home Secretary could fairly be charged with equivocation (to say the least) when he wrote to Mr. Michael Foot: "I can promise that I will keep an open mind . . . I will pay careful attention to what you . . . or anyone else says in the debate."⁴⁸

(iv) A final contribution to the futility of the debates on the draft Orders lay in the procedural difficulty that would have been involved in making any amendments: under the rules of the House a draft

⁴⁵H.C. Deb., vol. 535, c. 1785, 15th December, 1954.

⁴⁶H.C. Deb., vol. 535, c. 2055, 16th December, 1954.

⁴⁷H.C. Deb., vol. 536, c. 198, 26th January, 1955.

⁴⁸H.C. Deb., vol. 535, c. 1866, 15th December, 1954.

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Order can only be accepted or rejected. In 1948 the Boundary Commissioners' recommendations had come before Parliament as a Schedule to a Bill. Although Mr. Chuter Ede, like his successor at the Home Office six years later, would accept no substantial amendments in the course of the debate on the Schedule, he was at least able to rectify one or two trifling and uncontentious errors affecting only a handful of electors and he was also persuaded to agree to a few changes in the names of constituencies—a matter in which local pride can be much involved although political considerations are not likely to be significant. In 1954 it would, of course, have been possible for the Home Secretary to have withdrawn individual Orders and to have resubmitted them in an amended form. But the procedure might have been cumbersome and involved some delay.

THE REFORM OF REDISTRIBUTION

1. *The Frequency of General Reviews*

No subject evoked greater unanimity in the debates than the undesirability of having general redistributions every five years or so. With this the Boundary Commissioners were in full agreement. They wrote: "Considerable comment has been made in the Press and elsewhere to the effect that the general review . . . [has] come too soon after the very considerable changes brought about by the . . . Act of 1948. It was clear from the representations submitted to us that the changes recommended, even when they included proposals for additional representation, were not wholly welcome because of the disturbance they would inevitably cause to local political organisations and also because of the feeling of unsettlement they would cause both to the electorate and to their representatives in Parliament. The provisions of the Act of 1949 left us no alternative but to proceed with the review. . . . Nevertheless we have been impressed by the arguments put forward against reviews at comparatively short intervals and we think that consideration should be given to lengthening the . . . periods between reviews."⁴⁹ Members of Parliament quoted cases of areas that had been in as many as four different constituencies in 10 years⁵⁰ and gave touching and convincing descriptions of the personal dislocation, the destruction of gradually established loyalties which were involved in every boundary change.

Perhaps Mr. Kenneth Thompson made the point most effectively: "We in this House are compelled to face the facts of political life. Political party organisation consists of the little constituency club, a polling district committee, a ward organisation, a constituency organisation, all pyramiding up from the modest, humble, unobtrusive men and women who . . . do the slogging day-to-day work of a political party. . . . Every time a unit is taken from the electorate of a constituency, every time a boundary line is altered by however much or however little, some Mrs. Jones is chivvied out of this organisation and hived off to what is to her a foreign land, where there are a lot of people who do not speak her language. At the whim—if that is not

⁴⁹Cmd. 9311/1954, p. 4, paragraph 19.

⁵⁰See, e.g., H.C. Deb., vol. 535, c. 1832-3, 15th December, 1954.

an offensive word—of the Boundary Commission, she is expected to accept this as her lot and destiny and the pattern of her future political activity.”⁵¹

But the case against boundary changes at short intervals does not rest only on the hardship caused to electors and to M.P.s. It also rests on arithmetic. In five years no crying abuses or anomalies are likely to develop—and if they do the Boundary Commissioners are entitled to issue special reports to deal with individual situations.⁵² But it is almost true to say that the smaller the changes the more difficult and unsatisfactory the task of the Boundary Commissioners. There were far fewer protests against their individual recommendations in 1948 when they were transforming the electoral map of Britain and changing the boundaries of 560 constituencies, than in 1954 when less than 170 seats were substantially affected. When everyone is involved hardships are far more meekly accepted than when a select few must suffer. Moreover in some cases the dislocations involved in making only a small change may be quite as great as those involved in a larger one. South East Lancashire lost two seats in 1948. It lost one in 1954. The disruption of constituencies—and the outcry provoked—was quite as great on the second occasion as on the first. From every point of view, administrative, political and social, there is a case for the view of Sir Winston Churchill: “I think that to have changes every few years on the average is too quick, and that a period of 10 or 15 years might be more harmonious with the character of British parliamentary institutions.”⁵³

It is possible to argue that the best solution would lie in having two types of general review. The first could take place at five- or ten-year intervals and be concerned solely with individual anomalies, with those constituencies which were growing or shrinking abnormally fast and were already outside the acceptable margins of size. The second could take place at fifteen- or twenty-year intervals and could involve the more drastic redistribution of seats between counties where, even though all the individual constituencies were of a reasonable size, the average electorate was too much above or below the quota. Such a policy, while preventing the development of constituencies with grotesque electorates, would minimise dislocation inevitable in any attempt continuously to adjust parliamentary boundaries to population changes.

There is one other and very different point to be made about the recent discussions on the frequency of redistribution. Since in the debates there was general agreement that a longer interval was desirable, it was odd that no one pointed to the logical consequence of such a view. If henceforward five years would be too short a period between review, it was too short a period in the current instance. The consistent thing to do would have been to have cancelled the whole procedure and to have waited five or ten years

⁵¹H.C. Deb., vol. 535, c. 1839-40, 15th December, 1954.

⁵²Hitherto such special reports have been confined to adjustments of parliamentary boundaries to conform to changes in local government boundaries. It is, of course, arguable whether more serious redistribution could really be accomplished on a piecemeal basis. Even if all-party agreement could be obtained locally, such special action in one area would inevitably produce aggrieved pleas for it elsewhere and violent controversy might be provoked.

⁵³*The Times*, 24th November, 1954.

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more before tampering with the 1948 constituencies. To such a proposal the Government would presumably have had two answers. Firstly, it might have been said that if the Boundary Commissioners' recommendations had been abandoned at so late a stage, it would arouse suspicion that the system was being "rigged"; but to this it could be replied that the Opposition would certainly have supported such action and that no party capital would have been made out of it. Secondly, and perhaps more frankly, the Government could have argued that in 1948 the Labour Party had "rigged" the system by creating 17 extra seats in defiance of the Boundary Commissioners' original proposals, and that, since the Boundary Commissioners, operating under Labour legislation, were now impartially redressing that "rigging," it ill behoved the Conservatives to interfere with so convenient a piece of poetic justice.

2. *The Use of Independent Commissions*

There is nothing unique about the role assigned to the Boundary Commissioners apart from the peculiarly political consequences of their recommendations. It is no new device to set up independent statutory bodies to make decisions which, emanating directly from a government, might provoke partisan suspicion and recrimination. The Import Duties Advisory Committee and the Unemployment Assistance Board provide parallels.⁵⁴ The sovereignty of Parliament was preserved by giving effect to the recommendations of each of these bodies in Orders subject to parliamentary approval; but in each case the Minister who presented the Orders to Parliament refrained from accepting responsibility for the individual details of the proposals. It was customary for him to take refuge from criticism behind the independence of the statutory body: who was he to challenge the decision of duly appointed, neutral experts?

In the drawing of parliamentary boundaries, there seems to be no practicable alternative to the device of independent Boundary Commissions acting under statutory rules.

3. *Future Action*

At the next redistribution, even if the law remains unaltered, the Commissioners, learning by experience, may perhaps be trusted to act more cautiously and with a better sense of public relations. Moreover, with certain small changes in their statutory rules and in their administrative procedure, it could be made far easier for them to carry out their task in a generally acceptable manner (even though redistribution can never be made painless to everyone and there will always be some protests). In addition, some change in the way in which the Commissions are composed and in the parliamentary handling of their findings is perhaps desirable.

The arguments in favour of passing some remedial legislation are overwhelming. But the problems are complicated and there is a strong case for setting up a committee to consider in detail what reforms are desirable. Since the issues are so largely administrative a select committee of the House of Commons might not be the ideal body. In composition, at least, the

⁵⁴The Import Duties Advisory Committee was established in 1932 and the Unemployment Assistance Board in 1934. See W. I. Jennings, *Parliament*, p. 485.

Vivian Committee of 1942 might serve as the best model—even though its recommendations lie at the root of the present troubles. It was appointed by the Home Secretary and contained six M.P.s, four senior party officials and six public servants.⁵⁵

4. *The Major Questions*

This article does not attempt to provide detailed solutions to all the problems which would face such a committee. But it seems appropriate to end by setting out some of the major questions which require an answer.

(i) *Frequency.* There seems to be general agreement that redistribution takes place too often under the present Act. Should it be at ten, fifteen, or twenty year intervals? Should the Boundary Commissioners be instructed to conduct two types of general review, one a relatively frequent *ad hoc* rectification of individual anomalies and the other a less frequent comprehensive application of a quota to every area of the country?

(ii) *Timing.* Whatever interval is preferred, it is arguable that the Commissioners should be given clearer guidance about the detailed timing of their general reviews. Should they be instructed to try always to begin work early in the life of a Parliament? Should a statutory time-table be laid down for the publication of their provisional recommendations, for the hearing of objections, and for the presentation of their final reports?

(iii) *Composition.* Without more detailed information on how the proceedings of the Commissions are conducted than is at present available, it is impossible to say whether they are ideally constituted. Should they be enlarged and strengthened in membership? Should the Speaker continue to act as Chairman when plainly his role is so largely an inactive one? Can he really guarantee, as was intended, the representation on the Commissions of the House of Commons viewpoint?⁵⁶

(iv) *Rules.* There is widespread agreement that some at least of the statutory rules for the guidance of the Boundary Commissioners should be changed. Should the English Commissioners be asked to use a quota based on the electorate of England and not on that of Great Britain? Should all the Commissions be given greater latitude to leave alone constituencies in large boroughs which have only moderate differences in electorate? Should they be given direct instructions on how far to allow for probable future changes in electorate? Should they be given specific criteria to apply in deciding the variations in electorate between compact boroughs and scattered rural areas?

⁵⁵However, it could hardly be placed, like the Vivian Committee, under the Chairmanship of the Registrar-General since he is a member of the most controversial of the four Boundary Commissions.

⁵⁶See paragraphs 102-104 of the Vivian Committee report (Cmd. 6408/1942, pp. 22-23) for the arguments in favour of the Speaker acting as Chairman. Not all these arguments can be accepted. However, paragraph 102 does at least provide an answer to those who contend that the Commissioners would reach more equitable findings if they took frankly into account the political consequences of their decisions and that therefore the parties should be openly represented on the Commissions.

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(v) *Procedure.* It can be argued that the procedure to be followed by the Commissions should be laid down in more explicit detail than under the existing Act. Should the Commissioners be instructed either to invite or to ignore representations in framing their provisional recommendations? Should they be given guidance on the holding of local enquiries? Should they be required to publish new provisional recommendations when they plan a drastic departure from their original proposals? Above all, should they be told to include in their final reports a full explanation of the representations received and of the decisions reached in individual cases (following the example set by the Scottish Commission in 1954)?

(vi) *Redress.* It is plain that, under the existing procedure, there is no effective appeal from the recommendations of the Commissioners. Is there any conceivable legal or administrative tribunal which could review their findings without being tiresome, expensive and redundant? Can anything be done to make either the Home Secretary or Parliament a genuine court of appeal? Or, if not, should the pretence that either can really modify the Commissioners' proposals be openly abandoned? If the theoretical sovereignty of Parliament must be maintained, would it be an improvement if the recommendations were presented to it *en bloc*, to be accepted or rejected as a whole?

If these and kindred questions were tackled soon by a well-balanced committee, there is little doubt that recommendations would emerge, which, if enacted, would substantially reduce the difficulties and irritations at present involved in the process of redistribution.

CORONA

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The Negotiation of Wages and Conditions for Local Authority Employees in England and Wales

PART I - STRUCTURE AND SCOPE

By MRS. MARJORIE MCINTOSH

This is the first of three articles surveying and critically examining the great variety of negotiating bodies dealing with the wages and conditions of the employees of local authorities.

IN England and Wales today more than one and a quarter million persons in a great variety of occupations are employed by 1,500 local authorities of widely differing populations and resources. Though local authority employment can be distinguished from others by the character of its employers and the nature of the goods and services the authorities provide, it is not a closed field of employment. Some of the people it employs possess qualifications and skills which are also required in industry and other public services and indeed local authorities may employ only a small proportion of the total of a particular kind of labour force. For such labour, wages and conditions of service must bear a reasonable relationship to those of other employers if labour is to be secured and retained. Even where local authorities are almost the sole employers, e.g., in teaching, or where special skills and experience are not easily transferable in middle life, the level of remuneration will affect the willingness of young people to enter local government employment. In consequence the determination of local government remuneration and conditions of service cannot be dealt with as an independent operation.

Local authorities have the power to appoint such officers (and servants) as they "think necessary for the efficient discharge of the functions of the Councils and to pay such reasonable remuneration as they may determine."¹ They have always regarded this power as essential to their functioning as independent bodies and have strongly, though not always successfully, resisted attempts to prescribe wages and conditions through statutory regulations. Nevertheless they have had considerable difficulty in exercising this power as independently as many of them might have wished.

The police and, since 1947, members of the fire service are subject to a substantial measure of statutory control because it is maintained that as these services are concerned with the maintenance of order and the protection of property, "the State must have power to ensure that the various units are efficient and that there is enough cohesion between them to enable them to function effectively as a national body."² This national control is exercised by the Secretary of State under powers conferred upon him by the Police Act, 1919, and the Fire Services Act, 1947, and includes the power to determine by regulation the pay and conditions of service of employees.

The remuneration of teachers is also prescribed by regulation under Section 89 of the Education Act, 1944.

Further, the wages and conditions of some of their employees are

determined by statutory wages councils with the result that local authorities are required by law to pay not less than the minimum wage rates so prescribed. The exact number of these employees is not known, but they consist of small groups doing special jobs and are not employed by all authorities, e.g., bakers, brushmakers, staff canteen workers (catering workers engaged on school meals or in residential establishments are not included).

But, for the great majority (nearly one million) of their employees, local authorities are not bound by statutory regulations. Yet, though free in law to make their own decisions, they have come to recognise, largely as a result of trade union pressure and their own difficulties, that these decisions can only be made satisfactorily in association with their fellow employers and in consultation with the organisations which represent their staffs. Most local authorities and their employees accept the necessity for collective bargaining today though many criticise its present form and functioning.

Today, then, the great majority of local authority employees have their terms and conditions of service determined by 37 joint negotiating bodies which cover all categories of employees, manual, craft, clerical, administrative and professional in groups of widely differing size. (The Joint National Council for Local Authorities' Services (Manual Workers) covers 450,000 and the National Joint Council for Chief Fire Officers only 150 employees.) The membership, scope and constitution of these bodies vary considerably and depend upon many factors. In some cases it is considerations of status that are important (e.g., craftsmen have separate machinery from unskilled or semi-skilled workers and chief officers and senior officers from that of other officers and clerks), in others it is the degree of central government financial interest in, and control over, the service in which the employees work. In still other cases trade union rivalries and the fear of small professional groups that their interests will be overlooked are determinants. Above all, the present structure is the result of piecemeal development and compromise between different interests.

The Beginnings

Before the first world war local authorities made their own contracts with their employees, though these might be based on negotiations with trade unions where membership, mainly among manual workers, was substantial. The awards of the Committee on Production during the first world war helped to extend trade union recognition and collective agreements, and some local authorities (Manchester and Chester) began to combine to negotiate with the manual workers' unions. This move towards joint action was strengthened by the Government's acceptance in 1918 of the recommendations of the Committee on the Relations between Employers and Employed (Whitley Committee) for the formation of Joint Industrial Councils. These were to consist of representatives of employers and employees and were to consider and recommend terms and conditions of employment and other matters of mutual interest and to settle disputes. The normal pattern became that of a National Council for an industry or trade together with subsidiary Provincial or Regional Councils for appropriate local areas with the membership drawn from employers' associations and trade unions sitting as two sides. The Committee considered that the proposals were as likely

to be beneficial in the field of public employment as in industry and in 1919 the Minister of Labour called conferences of local authorities which led to the formation of the National Joint Industrial Council (N.J.I.C.) for Local Authorities Non-trading Services (Manual Workers) as well as similar councils for the public utilities.

A year later a much less successful effort was made to establish Whitley machinery for local authority staffs, but the National Council broke down because the local authority associations would not join bodies whose policy was the formulation of national scales.

In 1919 two other bodies were established. A Police Council including representatives of the Association of Municipal Corporations (A.M.C.) and County Councils' Association (C.C.A.), the police and their chief officers was set up to advise the Secretary of State and consider his draft regulations on terms and conditions of service. It had no executive powers. Also, as a result of a conference called by the President of the Board of Education, a Standing Joint Committee (which later divided into Burnham Committees) consisting of representatives of Local Authority Associations plus the London County Council and the teachers' organisations, was established for the purpose of securing "the orderly and progressive solution of the salary problem . . . by agreement on a national basis."

During the inter-war period the growth of collective bargaining in local government was slow largely because of the limited extent of organisation among employers and staffs. Individual local authorities continued to maintain their independence of action to a considerable extent. Many of them refused to join their associations or to be represented on the provincial Councils and so did not consider themselves bound, even by consent, to accept the decisions of such negotiating bodies as existed. The C.C.A. in particular repudiated collective bargaining, withdrawing from the Manual Workers' J.I.C., as did also the Rural District Councils Association (R.D.C.A.). The industrial and staff unions found it difficult to recruit members in the non-industrialised county areas. Further, even where agreements were made, they were on a provincial, not a national, basis and, while some local authorities refused to pay the negotiated rates, others considered themselves free to pay above them. Wages and salaries paid, therefore, were determined by random and piecemeal bargaining, and varied in different parts of the country for the same type of worker doing the same kind of work. In 1938, for example, there were six different zones for manual workers, with 17s. a week difference between zones 1 and 6. Trade unions strove to get their members the best terms that they could and played one local authority off against another even where a rate had been negotiated by a Provincial Joint Council. The political affiliation of the elected members of such a council might play its part in deciding what terms the trade union could obtain. For many years the Northern Provincial Council of the Non-trading J.I.C. agreed the highest rates of any district despite the heavy unemployment in the area "and the only explanation can be the predominance of Labour on the local authorities of Durham and Northumberland."¹³ In the rural areas the roadmen's wages were linked with the low paid agricultural worker, not the better paid local authority manual worker, though the unions were successful in getting some of the more industrialised counties to pay J.I.C.

rates. Because of the unwillingness of the C.C.A. to take part in the Non-trading Services Council, and doubtless also owing to trade union rivalries at the time, a separate Joint Council for county council roadmen was set up in 1941. It was feared that the newly established national minimum wage for agricultural workers would adversely affect the supply of roadmen unless their conditions were standardised and improved; but the logical development would have been to include them in the Non-trading Services Council.

For local authority staffs the individually determined contract was still the prevailing arrangement and there were substantial differences of pay for the same category of job. Some of the larger local authorities had fixed, generally in consultation with the National Association of Local Government Officers (N.A.L.G.O.), scales of salaries⁴ for their clerical and administrative workers. They were organising in Provincial Councils on the Whitley pattern in increasing numbers because of the difficulty of deciding reasonable rates except in consultation with other employers and because of their preference for regular consultation rather than a piecemeal confidential approach for information by one authority to another. Professional organisations for some of the groups of professional workers, e.g., Medical Officers of Health under the Askwith Agreement of 1929 and municipal engineers, were also agreeing scales of salaries and pressing local authority associations to negotiate on them and approve them for circulation to their members.

Developments During the War of 1939-45

By the outbreak of the second world war, therefore, local authorities and their associations though still nominally adhering to the policy of local authority autonomy, especially for senior administrative and professional personnel, were subject to growing pressure to negotiate scales of remuneration⁵ and were increasingly conscious of the dangers of isolated action. The individual local authority rarely had all the information necessary for assessing the reasonableness of claims, and its decisions might well form the basis of a claim to another authority. The trade unions, except the National Union of General and Municipal Workers,⁶ and professional associations, on their side, had become firm supporters of national agreements as the only effective means of eliminating low pay and poor conditions.

The war itself played a decisive part in stimulating the development of joint negotiating machinery. The decision of the Courts⁷ that local authority employees were covered by the Conditions of Employment and National Arbitration Order, 1940 (S.R. and O. No. 1305) and that, therefore, terms and conditions must be provided for them not less favourable than those agreed in the district and that these terms and conditions could be enforced by compulsory arbitration, made local authorities much more willing to negotiate. If a local authority could be made to pay the same rate as other authorities were paying⁸ then it became clearly important that it should play a part in determining wages. Furthermore wartime shortages of labour and the necessity to eliminate disputes made the machinery for settling wages a matter of interest to central Departments as well as to local authorities. With the active encouragement of the Ministry of Labour and Ministry of Health, the N.J.C. for Local Authorities Administrative, Pro-

Non-salaried staffs were set up in 1941. The Hetherington Committee for Domestic Staffs in Hospitals in 1943. The latter was replaced by the N.J.C. for Staffs of Hospitals and Allied Institutions in 1945. In both these latter cases local authorities became members of negotiating bodies covering the employees of voluntary bodies as well as their own, and their manual staffs in residential establishments were dealt with separately from their other manual employees. It is understandable, therefore, that, later, when the National Health Service was established and efforts were being made to set up Whitley Councils, groups of local authority employees were transferred to the Whitley Council for the Health Services, though the manual workers, in particular, would now appear to be more appropriately grouped with the rest of local authority manual workers. Thus the method of voluntary joint negotiation became firmly established during the war and accepted as the pattern for the reorganised public services after the war, though often not without prolonged discussion. Not even the Home Office withstood the prevailing tendency and a negotiating body for the police—the Police Council for Great Britain—was established in 1953. Of the 37 negotiating committees which are functioning today, 29 have been set up since 1945.

Types of Negotiating Body

There are two main types of negotiating body. The first group consists of those voluntarily established as the result of negotiations between organisations of employers and employees. Their decisions, reached by the normal Whitley method of agreement by a majority of both sides, are only recommendations to employing bodies and are not legally binding. These bodies depend for their effective functioning upon the voluntary acceptance by all local authorities and their staffs of the agreements negotiated by their representatives. This group includes the N.J.C.s for Local Authority Services (Manual Workers) and for the Road Passenger Transport Industry as well as bodies covering much smaller groups such as the J.N.C. for Chief Officers. The second group consists of negotiating bodies which were established on the Whitley pattern, either by statute or by voluntary agreement, to assist Ministers of the Crown in the use of their powers to make provision for wages and conditions of service by regulation. These are the Whitley Councils for the Health Services, which advise the Minister of Health, the Police Council of Great Britain and the N.J.C. for Local Authorities Fire Brigades and the J.N.C. for the Probation Services, all of which advise the Secretary of State, and also the Burnham Committees, which make recommendations to the Minister of Education.

The Police Council for Great Britain is the product of the recommendation of the Oaksey Committee that the consultative Police Councils should be transformed into a negotiating body "of the nature of Whitley Councils." On the official side sit representatives of the Home Office and the Scottish Home Department as well as representatives of local authority associations. The Secretary of State is entitled to membership as the police authority for the Metropolitan Police, but the Secretary of State for Scotland is not a

police authority. The inference to be drawn is that the Departments are anxious to keep an eye on the course of negotiations and there is thus a risk that the independence of the negotiating machinery may be affected by its exposure to political influences and possible pressure from the grant-aiding authority. Local authority associations feel that if political decisions have to be made on wages, as the Oaksey Report clearly envisages, they should be made overtly through governmental action rather than indirectly through the negotiating machinery.⁹ The Police Council and also the N.J.C. for Local Authorities Fire Brigades and the J.N.C. for Probation Officers cannot report their decisions direct to the employing bodies as Whitley Councils usually do. Recommendations must go to the Secretary of State who decides whether to accept, reject or refer them back. When he receives agreements which are acceptable to him they are issued as Statutory Instruments and become binding upon employers. No more and no less than the approved rates may be paid and because they are statutory there are no problems of enforcement.

The Burnham Committees have special characteristics even within this group. The Education Act, 1944, substituted a statutory association for a voluntary association and these committees have a duty to reach agreements on salaries from which they cannot escape by submitting differences to an arbitration tribunal. Although there is no statutory compulsion to do so there is an understanding that draft proposals are referred for ratification to the organisations represented on both sides which may decide to reject or amend the proposals. On a number of occasions proposals have been rejected by some of the organisations and amendments suggested; but, provided a majority of members on both sides are in favour, the agreement can be ratified. If, however, there is a majority against ratification on either side no agreement can be reached and no proposals can be submitted to the Minister of Education. Local authority associations believe that this unique feature of the Burnham organisation is of considerable value, though they are opposed to its extension to other negotiating bodies, because teachers' salaries are such a large item in local authority expenditure, and they insisted on its retention during the discussion with the Minister on the Education Bill. Without the right to resort to arbitration, however, it seems of little value to the teachers' organisations to have the power of rejection. In addition to the statutory Burnham Committees there are two associated committees which consider the salaries and conditions of service of training college staffs and of inspectors and organisers who are within the education service but are not teachers. Their recommendations are not embodied in regulations, but are sent to employers direct, and in consequence not all inspectors and organisers received the negotiated rates of pay.

The National Whitley Councils for the Health Services were established to provide agreed recommendations to the Minister of Health who, under Section 66 of the National Health Service Act, 1946, has the right to make regulations with respect to the qualifications, remuneration and conditions of service of any officers employed by any body constituted under the Act. A General Council and nine functional Councils were set up, two of which incorporated the organisations for domestic staffs and for nurses respectively which already existed and which had covered employees of local authorities

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as well as voluntary bodies. For this reason, and because the bond of common employment in residential establishments and membership of a common profession seemed stronger than that of a common employer, local authority employees in the Health Services are included under these councils. For local authority doctors and dentists there is a separate committee of the appropriate functional council whose management side consists exclusively of local authority representatives, but on the rest of the councils, local authority associations share representation with Regional Hospital Boards, Boards of Governors, the Ministry of Health and the Department of Health for Scotland, and their representation is small. On the councils the largest single group of representatives are civil servants of the Ministry which also provides the secretariat. They represent the Minister's interest in, and responsibility for, the service and during the process of negotiation consult with the Treasury which is concerned with possible repercussions both on civil service pay and on the national finances. But though the Ministry's representatives play an important part and in doing so, as with the Police Council, introduce a danger that political considerations may get entangled with wage negotiations, they cannot determine the decision for they are never in a majority even on the management side. The decisions of the Whitley Councils are submitted to the Minister and are binding once they have been approved by him. Local authorities, however, are treated exceptionally, for the constitution of the main council provides for the transmission of recommendations direct to the local authorities, and, though the Minister has power to make regulations he has never done so.

Negotiating bodies in this second group, therefore, though they consider proposals and reach agreements by the same methods as those used by Whitley Councils within the first group, are not genuine Whitley Councils because their decisions go to an outside body for approval and are then clothed with statutory sanctions. It is this regulation-making power that is most strongly opposed by local authority associations and by many of the trade unions. It is a direct breach of the Whitley principle as well as a reflection on the status of local authorities. It makes it possible to apply considerations of public policy direct to wage negotiations in this field. Further, it creates practical problems, for it is difficult to translate the decisions of a negotiating body into the language of statutory regulations without creating difficulties and obscurities, and as no award can be retrospective, however prolonged the negotiations, injustice can be done. Further, it destroys all possibility of the flexible application of awards to special circumstances, which always remains a possibility when agreements are voluntary. Local authorities have made special efforts to eliminate the statutory prescription of pay and conditions from the police and fire services. The Secretary of State has now agreed to the amendment of Section 17 of the Fire Brigades Act, 1947, to provide that conditions of service need no longer be embodied in regulations, but only on condition that he retains his right to reject or to refer. It would appear that, though it is official¹¹ policy to use and strengthen voluntary collective bargaining, not all the Departments are prepared wholly to put their trust in it despite the extensive powers which they possess and which enable them to protect the Exchequer through the medium of the various grant regulations.¹¹

Other Important Differences

Up to this point we have distinguished between two main types of negotiating bodies, but there are many other differences between them. Some of them cover all local authority employees in Great Britain, e.g., the fire services; others provide separately for England and Wales. Some are entirely controlled by local authorities and deal exclusively with their employees; in others responsibility is shared with other employing bodies, e.g., N.J.I.C. Waterworks Undertakings Industry and J.N.C. Approved Schools; in others local authorities are represented as the providers of money though they are not the employers of the staff, e.g., J.N.C. for Justices' Clerks. Further the constitution of the employee side varies for different negotiating bodies. On some bodies membership is confined to trade unions who organise the workers employed even though many of the staff belong to professional organisations, e.g., the N.J.I.C. for Local Authorities Administrative, Professional, Technical and Clerical Services. On some bodies, however, representation is shared with professional organisations, e.g., the J.N.C. for Chief Officers and the Whitley Councils for the Health Services; whilst on others it is confined to professional groups, e.g., the J.N.C. for Probation Services and the J.N.C. for Public Analysts. There are in all about one hundred different bodies representative of employees, though some of the organisations in the health service field do not recruit local government personnel.

There is one further variation in the structure to which attention should be drawn. Most of the negotiating bodies are single national councils or committees whose members are drawn, on the management side, from local authority associations. The Whitley Councils for Local Authorities Manual, Roadworkers and A.P.T.C. employees, however, have a quasi-federal structure. They include Provincial or District Councils in prescribed areas which themselves function on Whitley lines and whose employers' sides consist of representatives of the different types of local authorities in the area which the Council serves. These Councils are an important means of keeping local authorities associated with the processes of negotiation and they are consulted about major proposals which are under negotiation. They also take executive action within their areas to secure that national decisions are applied by local authorities. They deal with matters such as grading, zoning and plus-rates which are delegated to them by the National Council and they act as an Appeal Tribunal. The National Council consists, on the employers' side, of one or more members from each Provincial Council together with representatives from the employers' associations, thus ensuring that there is some direct representation of local authorities from each part of the country. It is the National Council which considers and makes recommendations on wages, salaries and conditions of service.

The constitution of the Whitley Councils for the Health Services provides for a General Council, which deals with general conditions of service, and nine functional Councils for the different categories of persons engaged in the Health Services. These functional Councils determine remuneration and conditions of service affecting employees included within its group and are in some cases divided into committees who deal with distinct professional or occupational groups. Local authority representation is small

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and consists of members from the main associations of local authorities and the London County Council; representatives of trade unions and professional societies serve on the staff side.

These differences in the structure and scope of the negotiating bodies reflect the empirical nature of the existing machinery, and the conflicts of group interests which lie behind it. In some measure they account for the present strains and dissatisfaction.

The Negotiators for the Local Authorities

If collective bargaining is to function efficiently, the persons who serve on each side of negotiating bodies must be persons with a knowledge of the field and experience and skill in the art of negotiation. On the employees' sides the members are full time paid officers of the unions and professional organisations together with some experienced lay members of the organisation. They are skilled negotiators with a knowledge of conditions in other employments and the full resources of their national organisations behind them. On the employers' sides the local authority members are representatives of local authority associations, some general and some specialised,¹² together with members of the employers' sides of Provincial Councils where these exist.¹³

As has already been pointed out, local authority associations played a limited part in the settlement of conditions of service before the second world war. Today they are extensively involved because they are the only organisations with which the central Departments can discuss the establishment of negotiating machinery and they are the only readily available source of representatives for the national bodies. Where a provincial organisation exists it might appear possible to link local authorities more directly with the negotiating process by drawing National Council membership exclusively from the Provincial Councils. This has not so far been a practical proposition because it is not acceptable to the large local authorities. Many Provincial Councils have a large membership of minor authorities and the few major authorities who employ most of the labour fear lest their problems should not be fully understood.¹⁴ Further, the Provincial Council members tend to be occupied with the local rather than the national implications of the various policies.

The different associations deal with their responsibilities in different ways. The A.M.C. appoints a Salaries and Wages Sub-Committee whose membership consists of those who sit on the main negotiating bodies together with representatives of the General Purposes Committee. It is this sub-committee which appoints new members on negotiating bodies and which considers and makes representations to the Council on all matters of general policy, as for example the establishment and constitution of new bodies. It also considers and reports on resolutions from individual local authorities expressing views about the negotiating process or urging the association to take action. It is through this sub-committee that the representatives get such advice as they consider necessary, for the association has always maintained "that those chosen to represent it on negotiating bodies are representatives and not delegates and they must come to their decisions both in the light of the facts placed before them by the other side and the

knowledge gained from the sub-committee of the general views held by the association.¹⁵ The C.C.A. has no special committee of this kind, each service committee dealing with the questions which arise concerning negotiation in its own field. In the U.D.C.A. it is the executive committee which appoints members.

The majority of the representatives are elected Councillors and Aldermen selected for their experience and reputation (about which enquiries may sometimes be made from the Clerks of their authorities) though the A.M.C. sometimes, and the C.C.A. regularly, appoint officers who have specialist, technical or financial knowledge. These officers will play a full part in the private discussions of the employers' sides but, having given their advice, they leave the decision and the voting to the elected representatives. Representatives exercise their own judgment. They are given no instructions ; there is no machinery for joint discussion among the representatives on different bodies and there is no reporting back to the appointing body. The associations consider that their functions are to discuss and agree to the establishment of negotiating machinery and to find the personnel to serve on it. When, as sometimes happens, local authorities press the A.M.C. to make representations to joint negotiating bodies, for example, to secure an increase in the working hours of staff, the reply is that it is not proper for the association to intervene in matters which are the subject of negotiation by Whitley Councils, upon which local authorities as employers are represented.

The various local authority associations are sectional bodies and each one appoints only a proportion of the employers' sides, and they are not designed or at present staffed for the expert work of negotiation. Even so this policy has serious disadvantages. It is likely to lead to lack of co-ordination between the policies of different negotiating bodies with the result that the decisions of one body may lead to claims from less favourably treated staff. Laymen, however competent, cannot be expected to have the detailed knowledge of persons permanently engaged in work in this field. The associations themselves are aware of this danger and have met it, to the limited extent possible, by appointing their representatives to serve on more than one body. Their main objective, however, has been to secure the establishment of a specialist *ad hoc* organisation linked with the associations but not a part of them, to provide local authorities as employers "with services and sources of information comparable with those given by employees' organisations to their members." To achieve this purpose the Local Authorities Conditions of Service Advisory Board was set up in 1948, consisting of representatives of the associations, the London County Council and representatives of the employers' sides of the main negotiating bodies. Its secretariat act as secretaries to the employers' sides of negotiating bodies as required and do in fact serve the majority of National Councils and some Provincial ones. Two main functions are performed. First, information on trends in remuneration and conditions of service in local authority and other employments is sought and collated ; the possible significance of decisions of arbitration tribunals is assessed ; expert advice from experienced local authority officials about the nature and content of jobs which are to be graded or about the financial effects of particular proposals is secured. On

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the basis of this half-research, half-detective work, advice is given to employers' sides engaged in negotiation or to individual local authorities needing help. Secondly, co-ordination is secured through the discussion and, where possible, agreement by the Board on matters of general policy, such as the introduction of equal pay or the conditions governing sick pay. The secretary may initiate the discussion of such policy or items may be placed on the agenda at the request of members. If decisions are reached the members of the Board may generally be relied upon to support the policy on their own negotiating bodies. The Board itself, however, as distinct from the secretary acting as secretary to the employers' side of a negotiating body, does not appear to examine or discuss salary matters as they affect individual negotiating bodies. Indeed, the members are reported to be reluctant to surrender any of their independence of action. They certainly appear to be expected to possess something of a split personality, exercising independent judgment as local authority representatives and formulating co-ordinated policies as members of the Advisory Board.

This method of using laymen advised by an expert secretariat and brought together from time to time to discuss general policy matters provides an allocation of function familiar in local government, but there are those who contend that better results would be secured if there were more officers and fewer laymen on negotiating bodies. Wage negotiations in a limited field such as we are considering, are not concerned with matters of important policy which only elected representatives ought to decide. They are concerned much more with the margin of manoeuvrability at a given time and require detailed knowledge both of the employments concerned and those allied to them. It is the officer, the Establishment Officer where he exists, who talks to the Trade Union official at the local level and who must deal with the difficulties of interpretation and application of agreements. The officer too should be able to take a more dispassionate view of the advantages of co-ordination and joint action. Yet the attitude of some, especially the smaller, authorities to their officers is such that it is doubtful whether the officer representative would always be given the authority and support which he would need if he was to be an effective negotiator.

Contemporary Criticisms

Too Much Centralisation?

The rapid extension of negotiating machinery has produced a good deal of bewilderment, frustration and indignation. The local authority associations have received many complaints and appeals for action. Some authorities have obstinately refused to apply negotiated conditions even though they knew that they could ultimately be compelled to do so. Negotiations have sometimes proceeded so slowly that staff have talked about "the deliberate delaying tactics"¹⁶ of the employers' side and expressed the belief that "Whitleyism has ceased to work fairly." Criticisms are concentrated on two main aspects of joint negotiation, the centralisation of decision-taking and its accompanying lack of consultation, and the fragmentation of decision-taking through the establishment of numerous separate negotiating bodies.

PUBLIC ADMINISTRATION

Local authorities who consider themselves responsible bodies in their own areas feel that the wages and conditions of service of their employees are being settled without their knowledge and without consideration of their interests. They think of themselves as receiving a never-ending series of bills, which not only increase their costs but upset their budgeting because they are often back-dated, and as being required to apply scales and conditions which are not appropriate to their circumstances. The extent to which the complaints are exaggerated and inaccurate reflects the extent of the failure to get local authorities to understand what collective bargaining involves and why it has developed. Local authority associations and representatives on Provincial and National Councils have thus not succeeded in one of their basic tasks. Perhaps it should be one of the functions of the associations or of Provincial Councils to provide courses of instruction for Councillors as the Magistrates Courts Committees do for the Justices of the Peace. There is, however, some substance in the complaints. Where negotiating committees are national bodies only, the representatives are a small number of people selected by the associations who as a matter of policy do not discuss what their representatives are doing at any stage. The first thing therefore that a local authority may know about proposals to increase senior officers' salaries is the circular it receives from the negotiating body containing the new scales. Even where Provincial Councils are used, there was not in the early years after the war enough information given to them about negotiations or enough consultation with them about the effect of new proposals. This position has been greatly improved in the last two years and today major proposals are circulated or a joint conference is called before agreements are reached. This partial failure to secure participation by local bodies has led to demands which would create greater evils than they would remove for negotiation by plebiscite is an impossibility and prior consultation with all the local authorities involved would delay the already lengthy process of negotiation. It is doubtful, too, whether the results would be as satisfactory as Councillors sometimes assume for the views expressed would probably be widely divergent and difficult to reconcile. When local authorities ask to be consulted about proposals before they are agreed they are often implicitly assuming that their views will prevail. Yet though some of the complaints of local authorities are doubtless due to the reluctance of some of them to pay reasonable salaries, especially to their officers, it is not enough to read them homilies on the nature of collective bargaining. It is one of the most urgent tasks in this field, if collective bargaining is to secure an improvement in relationships, to devise ways of securing local participation and consent without sacrificing the advantages of larger units for the settlement of the broad framework of wages and conditions. It should be possible to inform the authorities concerned through the secretariat of the employers' side and, if necessary on a confidential basis, when matters are under consideration on which they may have views. It might be possible to expand the present Provincial Council machinery to combine existing executive functions for specific groups of workers with a general consultative function covering those organisations which have no local machinery. Alternatively the Conditions of Service Advisory Board might extend its activities and set up area advisory committees on which experienced officers as well as elected representatives

could serve and advise on proposals in the light of their local experience. This is a field in which the local authority associations should initiate detailed studies. So far, although sub-committees have issued valuable general reports outlining the nature of the problems, no action seems to have been taken.

Too Many Negotiating Bodies?

The second main criticism concerns the fragmentation of decision-taking which gives the impression of a never-ending cycle of wage increases. For example, Merioneth County Council sent a resolution to the C.C.A. in 1952 in which they expressed the view that "the alarming increase in the cost of local authority administration . . . is due in a large measure to the competitive operations of the numerous outside bodies set up to negotiate salaries and wage claims." It is extremely difficult to gauge the effect on the size of the local authority wage bill of a large number of decisions for relatively small groups as compared with fewer decisions for larger groups. It is an open question whether there is any effect at all, but Councillors think that there is. Further the large number of negotiating bodies requires a considerable number of persons to serve on them, increases the number of meetings required and makes it difficult for the local authority representatives to appreciate the effect of their decisions on other groups.

Possibilities of Reorganisation

Any plans for reorganisation at the present time would have to take into account the deep cleavage between manual and administrative workers and between senior officers and their juniors. It could not be accomplished without the full co-operation of the employee organisations. In some cases there might be no opposition because the same unions are involved, but in others small professional groups might be hostile to amalgamation because their influence in a larger unit would be small. It is not encouraging that, although in 1954 at a conference at the Home Office the Justices' Clerks' Society agreed to one joint negotiating committee with separate panels for themselves and their assistants, they later withdrew and a separate negotiating committee for Justices' Clerks' Assistants has had to be established. Further there is a tangle of different conditions of service and different grant-aiding bodies¹⁷ which would have to be sorted out before extensive co-ordination would be possible. Provided these difficulties can be overcome it should be possible to get some measure of integration which would facilitate the standardisation of rates, gradings and zones as well as general conditions of service. This is gradually being done on the different bodies and it would seem a logical extension of this process to draw some of the groups together in one organisation with provision for separate panels where necessary. In the manual workers' group, the roadmen are distinct from the local authority manual workers merely because of long-standing county council fears of urban domination. The reason for their separation, the lower rates of pay, has already been almost eliminated. The local authority employees in the Ancillary Staffs Council might also be included in the Manual Workers' N.J.C., but here the stumbling-block is likely to be the reluctance of local authorities to grant a 44-hour week instead of the existing 48-hour. On the administrative side, the

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multiplication of small units at chief officer level seems unnecessarily cumbersome and some amalgamation either into the Chief Officers J.N.C. or the N.J.C. for A.P.T.C. Staffs with autonomous panels seems desirable. Before any action can be taken, however, local authorities, through their associations, must decide among themselves whether they are agreed upon a policy and are prepared to embark upon what will be a slow process now that rights and interests have been established. They have first to be prepared to throw off their hesitations about collective bargaining before they can take positive action to shape this important machinery.

(Note.—An appendix giving details of the various negotiating bodies will appear at the end of the third part of this article.)

¹Local Government Act, 1933, Sec. 106.

²Oaksey Report on Police Conditions of Service, Cmd. 7831/1949, p. 4.

³H. A. Clegg, *General Union*, p. 176.

⁴L. Hill, *The Local Government Officer*. Out of 781 local authorities in England and Wales who replied to a questionnaire sent to 1,500 of them, 391 had salary and grading schemes for all their officers (1937).

⁵See Memorandum of the Secretary of the A.M.C. on Salaries and Service Conditions of Chief Officers, 1946.

⁶H. A. Clegg, *op. cit.*, p. 193.

⁷National Association of Local Government Officers v. Bolton Corporation, 1943. A.C. 166 and 59 T.L.R. 1.

⁸See, e.g., I.C. 1857/1942, *N.A.L.G.O. v. Caernarvon Corporation*, I.C. 1926/1943, *N.A.L.G.O. v. County of Westmorland*.

⁹Report of the Committee of the Police Council on Police Representative Organisations and Negotiating Machinery, 1952.

¹⁰H.C. Deb., 3rd March, 1954, col. 1314.

¹¹See the First Report of the Local Government Manpower Committee (1950), Cmd. 7870, Report of Sub-Committee on Grant Claims, etc., p. 29.

¹²For example, representatives of the Association of Education Committees and the Welsh Joint Education Committee sit on the Burnham Committees as well as representatives of the A.M.C. and the C.C.A. The employers' side of the N.J.C. for the Road Passenger Transport Industry consists of members of the Federation of Municipal Passenger Transport Employers.

¹³On the A.P.T.C. half of the N.J.C. and on the N.J.C. Manuals two-thirds of the employers' sides consist of representatives of the Provincial Council employers' sides.

¹⁴Middlesex County Council, the only county council member on the Middlesex District Council of the N.J.C. for A.P.T.C. services, withdrew from membership. It has now been agreed that a separate county council panel with autonomous powers shall be set up in the District Council and that the county council shall have representation on the National Council as an additional member. (*Municipal Review* supplement, April, 1955.)

¹⁵Report of the Salaries and Wages Sub-Committee to the Council of the A.M.C., April, 1953.

¹⁶*Public Service*, January, 1954.

¹⁷Teachers in Approved Schools and Remand Homes would appear to be more logically dealt with by a Burnham Committee. They are, however, resident, and therefore have different conditions of service from non-resident teachers. Further the grant-aiding body is the Home Office not the Ministry of Education.

Mental Health and Family Welfare : Need for an Integrated Policy

By PHYLLIS M. SCOTT

Miss Scott, who is Tutor in Social Science in the University College of the South-West, states the case for a more positive and integrated approach to meeting the needs of those who cannot cope with the demands made upon them by modern society.

IT is increasingly being brought home to those concerned with the problems of individual and family welfare that health, in its full significance, is a sociological concept.

This is proving particularly true when questions of mental health are under consideration. Those who deal with the emotionally disturbed, with "problem families", with parental cruelty and neglect or with crime and delinquency are, sooner or later, brought up against the necessity of treating patients and offenders within the social context in which they are proving themselves "inadequate" or "anti-social". Maladjustments prove to be primarily social maladjustments; emotional disturbances in the personality secondary to disturbances in the external social relationships of the individual and parental incompetence relative to the demands which society makes upon the family and the standards it imposes.

In this country not only those who administer and man the social services, but also those who pay for them, are becoming increasingly concerned about the amount of mental illness and social maladjustment in our society particularly among children.

It can, of course, be argued that the figures for emotional disturbance and delinquency are continuing to rise or to maintain high levels because more children are being referred for treatment as parental attitudes towards mental illness become more constructive. Even so, it is a serious criticism of our way of life that, for whatever reasons, such large numbers of children become so maladjusted that they have to undergo a systematic course of treatment which must be painful and may be prolonged. Moreover, treatment of emotional disturbance is not always successful and an uncomfortably large number of children grow up to be disturbed and, therefore, inadequate parents. It is children of this sort who tend to come from problem families and to perpetuate problem families.

Concerted Action on Individual Needs

So far the "problem group" has been the centre of administrative attention. Policies have been devised mainly from a curative point of view with attempts at preventive work running rather a poor second. By comparison little or nothing has been done to develop positive programmes, programmes aimed less at prevention and cure than at establishing a state of society in which mental illness and family breakdowns occur as seldom as possible. And yet, I venture to suggest, it is only through a policy of social service directed towards positive social health that we can either reduce the incidence of maladjustment or break successfully into the vicious circle

in which problem parents produce problem children who become problem parents in their turn.

It is, of course, very understandable why we have been so preoccupied with curative policies. The problem group forces itself upon our attention. It consumes an enormous amount of the time and energy of health and welfare workers ; in one guise or another it forces itself on to the agendas of committees of innumerable statutory and voluntary bodies ; it costs the country a large sum of money every year. It is to our credit that, in spite of this, we have been able to spend as much time as we have on the needs of the "pre-problem family" and "families with problems". However, it seems to me the time has now come to recognise that only concerted action to establish the conditions of positive health in our society is going to have any lasting effect on either the size or the self-perpetuating tendencies of the problem and pre-problem groups.

The existence of so many individuals and families unable to cope with their difficulties without the assistance of the social services suggests great strain upon the social adequacy of people and groups in our society. This is probably an inference most of us would be prepared to draw. That social workers and social administrators must be challenged by such a situation is also something about which most of us would agree. The failure of the family and the failure of the social services more satisfactorily to stave off family breakdowns are facts the administrative implications of which need serious and systematic study. Whether or not we can achieve a generally acceptable definition of the "problem family" seems to me relatively unimportant. Indeed from the standpoint of a family in difficulties and from that of the health and welfare workers faced with the task of helping it to sort itself out, it is irrelevant whether the family is definable as a problem family, a pre-problem family or a family with a problem. What is relevant is whether the workers concerned have the knowledge, experience and skill :

- (a) To diagnose the family's problem accurately ;
- (b) To evaluate realistically the potentialities within the family which can be used to re-instate or promote its self-sufficiency ;
- (c) To decide what combination of the resources of the family and the community is necessary to re-establish it and keep it going as a healthily functioning social unit.

Family welfare work remains an art however much theoretical knowledge and scientific method we bring to it. This is because the irreducible uniqueness of every individual and every family has a way of cutting across the universality of generalisations. Insight into the particularity of any situation is as vital to accurate diagnosis and treatment as the ability to use general knowledge to guide one in the analysis of symptoms.

In work with families in difficulties we are inclined to get hold of good ideas and run them to death. At times we are all for dividing up families in the interests of the moral welfare of children. At others we are all for keeping families together at all costs. Each of these approaches to welfare work contains its kernel of truth. Trouble only arises when either is used consistently, as an administrative policy, without reference to the individual needs of different families. Only treatment adjusted to these needs is likely

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to be effective from a long-term point of view and such treatment may involve separation in some cases and attempts to keep the family together in others. As far as the hard core of problem families is concerned it is important to keep the family idea distinct from what is done in terms of concrete action. It is often advisable to break up problem families either temporarily or permanently. It is never advisable to overlook the fact that parents and children remain related psychologically and socially whether they are separated physically or not. It is this fact which is behind the truth of the idea that the family should never be broken up. There is a sense in which families never can be broken up. Effective family welfare work must therefore involve the treatment of family problems on two levels, the material level and the psycho-social level.

As long as one bears this in mind and is clear about its consequences in those cases where families are being divided "for their own good," it is possible to make an operational distinction between families where there are intractably ineducable parents and families where the parents can cope or learn to cope. I must emphasise that the distinction I have drawn is an operational one because whether or not a person or group is inherently ineducable can seldom be established in any absolute sense. All we can assert is that no attempt at education which we have been able to devise has been successful in producing any lasting change in the attitudes and standards of the parents concerned.

Once intractable ineducability has been sufficiently established a change in treatment objectives becomes permissible, practical and realistic. Attempts at re-education can be abandoned in favour of policies aimed at providing the family with adequate and continuous support in order to maintain it—whether physically united or not—at the highest level of social adequacy of which it is capable. One does not want to abandon lightly the possibility of rehabilitation through learning, but if persistent efforts have been of no avail it is more economical of the time and energy of all concerned to adjust one's endeavours to what can be achieved than it is to persist in the practice of failure.

Need for Co-ordinated Programme

Any positive programme of personal and family welfare must naturally be less concerned with existing cases of breakdown and incompetence than with those where mental health and social sufficiency are either normal or possible. In other words, while recognising the importance of providing those who have broken down with all available help and support, it must concentrate on promoting a state of healthy self-sufficiency as the "norm" of family life. Before we can frame such a programme we must reorganise our whole approach to welfare problems and be prepared to study the administrative implications of new ideas relative to more "positive" objectives. We are trying to do this in this country, but our efforts are unco-ordinated. Research workers scattered here and there are exploring the conditions of health. Experiments are being tried out by different agencies and departments in various local authority areas aimed at reducing the work of the expensive "breakdown" services by bringing in the less costly preventive services more effectively and earlier. Some of the most successful from a

positive point of view have been those where concerted action on the part of health workers, children's departments, probation officers and the N.S.P.C.C. has led to a reduction in the number of children taken into the care of the local authority, as in Devon, Newcastle and other progressive areas. Closer integration of services and a more positive approach are similarly coming to characterise work with the handicapped in many parts of the country. But, as far as I know, there is no effort being made on the part of either research workers or local authorities to devise a systematic scheme of study and experimentation covering all the family welfare services, statutory and voluntary, taken as a single system.

Perhaps more thought is being expended on the question of mental health in childhood than on any other aspect of mental hygiene. It is becoming daily clearer that positive mental health policies, like positive physical health policies, must centre on the needs of children. Yet the valuable work which is being done to study and meet the needs of children continues to suffer because of three factors which handicap research, planning and practice :

(a) University departments and professional bodies interested in this field tend to approach children and their problems from various specialised points of view.

(b) The knowledge so obtained is not being systematically integrated in such a way as to make it readily assimilable by all practitioners in child care. A great deal of useful work is being done by such organisations as the Central Council for Child Care, the Royal Sanitary Institute, and the National Association for Mental Health. The medical and social work professions, however, show an unfortunate tendency to develop their knowledge independently and to feel responsible for passing it on to a relatively limited range of practitioners. To a large extent this is true of the teaching profession as well.

(c) Workers in agencies (statutory and voluntary) concerned with children tend to offer their services in terms of agency functions rather than in terms of the total needs of the children themselves. This is not intentional nor necessarily conscious. It is a tendency which arises because of the administrative organisation of social service departments and agencies and the *ad hoc* way in which these developed historically. Every worker tends, very naturally, to see what he or she can do for a child within a frame of reference provided by his or her particular type of agency or service, and to develop a habit of seeing the needs of the child primarily in the light of what this service can do ; doctors see medically, teachers educationally, children's officers in terms of deprivation and emotional insecurity, probation officers in terms of social maladjustment, etc., etc.

It would be helpful if it could be the aim of administrators to foster integrated and positive approaches at all levels of social administration and social work, from the level of policy-making to the level of home-visiting. It would be very valuable also if it could be made easier for all fieldworkers to discuss their families with their colleagues and administrative seniors. In the child care field there are now committees which have shown how

useful it can be to talk over family difficulties from a number of different points of view and how much easier it is, through these discussions, to arrive at shared viewpoints and co-operative plans of action. We could do with a great deal more of this sort of getting-together of workers who are visiting the same families. Why confine this case conference method to families which are giving social workers serious headaches? Why cannot fieldworkers visiting the same family get together as a matter of course in order to ensure that they are acting in harmony and that the family is getting help in a manner designed to save the time and energy of both family and workers? I think it would be found that many of the snags we anticipate in connection with "breaches of confidence" are anticipated because our colleagues are not personally known to us. Once they have become working partners, I think we would find the snags just would not arise. A great deal of the reluctance felt by social workers about "referring" aspects of their families' troubles to some other social worker is due to their mistrust of passing confidential material to a stranger. This reluctance is natural and is only to be overcome by the development of teamwork through personal contact.

Development of Teamwork

The development of teamwork between social administrator and field-worker is another matter to which serious thought might be given. The relationship of senior officer and subordinate may prove less productive of effective welfare work than the relationship of leader and teamworker. Family work, as we have seen, is highly individualised. No administrator, however wise and however capable of sympathetic imagination, can solve the problems of a family he has never seen and probably never will see. Whether his department gives good service or bad will depend on the degree of skill with which he chooses and leads his team of fieldworkers. In the last resort the administrator is in the hands of his fieldworkers and must trust to their ability and discretion. The real test of a social service is its efficacy as an agency of personal or family welfare. This can only be truly measured at field level; in the home, the school, the hospital bed, in institutions for the care of the old or the deprived or the disabled. Administrative measures and statistical returns yield useful information, but they cannot tell us if effective service has been given and received in human terms.

If we concede that a positive welfare programme demands teamwork, the pooling of knowledge and service by all interested in the family and its problems, where do we go from there? How can we best set about devising a concerted plan of action?

One outstanding fact which has emerged from studies of problem families is that disorganisation in family life, and the anxiety, stress and muddle which ensue, can be traced to one basic situation, the situation in which the circumstances which have to be coped with are beyond the family's capacity to cope. There are various reasons why the family's capacity is exceeded just as there are many kinds of demoralising circumstances, but the invariable concomitant of every breakdown situation is that a serious discrepancy has arisen between the difficulties which beset the family and the family's capacity to overcome or adjust to them. As soon as this discrepancy arises, stress begins to appear and the greater and more sustained

the discrepancy, the greater the tension and anxiety in the family and the greater the chances of its degenerating in its competence to meet the needs of its members. Tempers get frayed, memories become uncertain, reason and judgment become less balanced and accurate, and the capacity to attend properly to the needs of others diminishes as part of a general loss of mental visibility.

It is easy to see how this state of mind in parents has serious repercussions on the quality of child care.

The aim of positive social service in this field must, therefore, be to find ways and means of minimising the chances of a family finding itself in an unmanageable situation which threatens to demoralise the parents sufficiently dangerously to reduce their ability to look after their children properly.

There are certain sets of conditions which tend to produce unmanageable situations ; for example, sudden reversals of fortune or sudden extensions of responsibility or heavy burdens of anxiety, want or illness which have to be carried for too long.

For normally intelligent and well-adjusted people such difficulties and misfortunes are upsetting and exhausting, but they are not usually demoralising. Moreover, in the welfare state there are many other resources upon which they can call to supplement their own and those of their relatives and friends. We do not have to worry about such people beyond ensuring that they know what the community resources are and where to go for them.

It is the not-so-intelligent and not-so-well-adjusted people who will need our help, because these are the people who go to pieces when faced by radical changes in their circumstances and need most support through times of upheaval and strain in their lives.

A positive health programme will therefore have to concern itself with ways and means of reaching the less intelligent and less stable members of the community and building up the kind of relationship with them which will ensure that they will ask for help when they need it and not try and muddle through with disastrous consequences for themselves and their children. It will not be easy to reach these people, but certain clues to them exist and can be used.

One clue is provided by the inherited element in intelligence. Not very bright children suggest, though they do not prove, the possibility of not very bright parents. Certified mental defectives suggest relatives who, while not certifiable, are unlikely to be among our more intelligent citizens. Existing problem families with a general distribution of low I.Q.s. suggest related families which may well be drifting in the same direction.

In any positive health programme it is essential to give serious attention to the psychological and social implications of low intelligence. One of the factors which handicaps many health and welfare workers in dealing with problem families is their own intelligence. It is very difficult to imagine what it is like to be really dim-witted, to be unable to grasp a principle or to hold on to an idea for any length of time and to be incapable of planning far beyond the present moment. As a result we tend to offer advice and help in ways which cannot be appreciated or assimilated and tend to be disheartened or indignant because it is not put to better use.

Co-ordination of Home Visiting

The correlation between family disorganisation and low intelligence emphasises another aspect which needs to be taken into account, namely, the need to bring the fewest possible social workers into any one home. It is impossible for the mentally dull to put together advice given from a number of different points of view and make practical use of it. Integration must be done for them by someone in whom they have confidence, someone capable of advising and helping them while at the same time encouraging them and building or bolstering up their self-respect. For this reason the regular visitors to the home should be kept down to a minimum. To do this without impairing the quality of our service to the family, however, they should regard themselves in rather a different light from that in which they tend to regard themselves at present. Workers should be encouraged to think of themselves as representatives, not of a particular department or organisation, but of the whole community, going to the home as a member of a team with all the resources of the team at their back to be called on when needed.

Workers like the health visitor and the housing officer will be particularly important in any such set-up because they have statutory duties which take them into many homes and which tend to lead to the development of long-term relationships between them and the families they visit. It seems to me that any attempt to cut down the number of visitors to the home must involve giving serious attention to the role of these two sets of local authority officers. They *must* visit many families and it would be wise to put these visits to the best possible use. Regular visitors of this kind, whose visits are not associated with criticism, are in a far better position to help than a social worker who is known to have come because something is wrong. Moreover they see families sufficiently often to get to know them personally and should, therefore, be able to detect signs of stress and strain sooner than any other social worker, except perhaps the family doctor.

It is to be regretted that the housing officer of the local authority is not modelled more closely on the pattern of Octavia Hill's housing manager. The need for social workers in housing departments is very great. An important development in this connection is the setting up of a sub-committee by the Ministry of Housing and Local Government to investigate ways of dealing with unsatisfactory tenants and applicants.

Gaps in Social Services

As we all know, there are still gaps in the social services which we are trying to close. Where these gaps exist the people who suffer most from them are those who are least mentally competent to find ways of lessening the hardships and difficulties they cause. Some of the most important of these are in the National Health Service. From a positive health standpoint the closing of these gaps is vital, particularly the gaps between the doctor's surgery and the home and between the home and the hospital.

Mothers who have not sufficient wrong with them to be sent to hospital often fail to carry out their doctor's instructions, either because they have not really understood them or because they are so busy concentrating on

the needs of husband and children that they cannot be bothered to look after themselves properly. An insidious decline in domestic efficiency can creep in here due to the mother's health being chronically below par. It would help a great deal if the type of co-operation between general practitioner, health visitor and domiciliary nurse which is being developed in some areas could be more consciously promoted everywhere. It would be most valuable if, whenever a doctor suspects that a busy mother may fail to take the necessary steps to safeguard her health or that of her children, he would let the health visitor or district nurse know so that the mother may be helped to fit this new development into her daily routine. Unintelligent and muddled patients should be given special consideration from this point of view. It is also important to remember that a father who neglects his health can influence the quality of parental care as well as the mother. Another thing which might be notified by the doctor is the death of a parent. From the standpoint of the child this is a shattering experience and from the standpoint of the whole family a crisis calling for major readjustment.

With regard to the gap between home and hospital it would be helpful if, when patients are ordered to hospital, the health visitor could make sure that the necessary arrangements can be made easily without too much upheaval for the children. Teamwork between almoner, G.P., health visitor and district nurse would be of great assistance here and also in covering the gap which too often arises between hospital and home, causing the good work done in hospital to be undone by inadequate convalescence. This is particularly important in view of the shortage of hospital beds and the short-stay nature of much hospital care. The work of Ferguson and MacPhail in Scotland has brought out clearly the medical and social consequences of failing to close this gap.

Ante-natal preparation of the mother is another important side of positive social work in this field. I have referred to the way in which sudden extensions of responsibility can precipitate breakdown situations. The coming of a new baby is such an extension. It is often the one child too much for her organising ability which demoralises the mother of a family. The dull girl can frequently adjust to a job and then, perhaps, to a husband, but even one child may seriously tax her powers of adjustment, particularly if it arrives soon after marriage. Nixon, Ransom and Tylden (University College Hospital) investigating the conditions of normal labour have emphasised the complicating effect of emotional and mental stress on pregnancy and in the puerperium. Much pain, distress, time, energy and expense might be avoided if the administrative implications of work such as this could be considered jointly by all who offer services to expectant and nursing mothers, whether these services be medical or social.

Ways and means of getting at the maladjusted and disturbed could be studied along similar lines to those used to reach the mentally slow. The clue here would be that personality disorders correlate with early social environment and that it is therefore possible that seriously disturbed children (and also seriously disturbed adults) may have seriously disturbed brothers and sisters. Health visitors, housing officers and officers of the National Assistance Board may find families getting into arrears with their rent and generally mismanaging their homes and their budgets because they suffer

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from personality difficulties and not only because their wits are dull or their incomes small. It is important that these and other social workers should be competent to distinguish between different kinds of handicap in order that help may be given in the most appropriate form.

An important gap to close in connection with disturbed children is the gap between the classroom and the home. Teachers often notice changes in children's behaviour which suggest that something has gone wrong at home, but feel that there is little they can do about it. Better teamwork between teachers, school medical officers, welfare officers and health visitors could help greatly here. Good teamwork at this point might completely eliminate the need for clinic treatment in many cases.

Conclusion

If such a positive social health policy as I have rather sketchily outlined here were to prove effective in improving the quality of parental care it should lead to progressive reductions in the number of children taken into care by the local authority, the number passing through the juvenile courts, and the number referred to child guidance clinics. Mental health and maladjustment are, of course, not measurable as such. On the other hand it is possible to use the numbers referred to outside agencies as indices of the family's ability or inability to cope without resort to the "breakdown" social services.

The part played by housing and income shortages should not be overlooked in considering any concerted plan of action in the positive health field. The handling of housing in particular is in need of review as a local authority responsibility with important social implications. The housing manager has great potentialities as a positive health/welfare worker. So has the welfare officer of the National Assistance Board. It might be well worth considering whether it would not be valuable to devolve certain educational and advisory functions upon this officer in addition to that of establishing need. His advice on how best to make use of allowances and how most effectively to overcome economic difficulties must frequently be sought, but I doubt whether either his caseload or his training enables him to make as much of this opportunity for constructive social work as he might.

I do not claim any great originality for these suggestions. In many areas active efforts are being made to improve the quality of our family welfare services by developing teamwork, and the National Health Services are far from unaware of the need to close the gaps between them. For instance, Mr. Donnison's book *The Neglected Child and the Social Services* is evidence of the high level of teamwork which has been attained in Manchester and Salford in an attempt to deal constructively with the neglected child and his family. The work of the late Sir James Spence and his colleagues in Newcastle is an interesting development combining curative treatment at a physical level with positive handling of the psycho-social aspects of care. Many have been thinking in terms of positive health for some time.

It may even be true that there are already local authorities developing comprehensive, integrated family programmes along positive lines in co-operation with voluntary agencies and Central Government Departments in their areas. In Exeter, for instance, a trend towards administrative

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integration and the use of case discussions at all levels is clearly discernible. This trend appears to have originated spontaneously due to the fact that the area is sufficiently small and compact for all concerned to know one another personally. It has, moreover, reached a stage when its underlying philosophy has become more or less explicit and capable of accelerating its development. The effects of a shared philosophy upon the quality and extent of teamwork are impressive and fascinating to watch. The trouble is that the incidence of maladjustment and family breakdowns is greatest in the big conurbations, and in large areas a shared philosophy cannot arise spontaneously in the same way. It has to be consciously adopted as part of an accepted policy. In writing this article my aim is the limited one of suggesting the form such a philosophy might take and indicating, in the barest outline, the sort of positive family welfare programme which might emerge from its acceptance.

The Reforms of the French Higher Civil Service since 1945

II.—EFFECT ON THE ORIGINS OF THE HIGHER CIVIL SERVICE

By T. FEYZIOGLU

Mr. Feyzioglu's study of the post-war reforms of the French Higher Civil Service is concluded here from pages 69-93 of the Spring, 1955, issue.

THE effect that the reforms analysed in the first part of this study have produced (or are likely to produce) on the geographical and social origins of French higher civil servants is not yet sufficiently evident. The information available for the period preceding 1945 is of a rather general and qualitative character: this renders almost impossible a comparison, based on statistical data, between the periods preceding and following the reforms.

But the fact that one of the main aims of the 1945 reforms was the "democratisation and provincialisation" of the higher Civil Service has resulted in closer attention being devoted, since 1945, to the problem of the origins of the candidates for the higher Civil Service: the E.N.A. consequently began to draw up and publish statistics relating to the geographical and social origins of its students.

GEOGRAPHICAL ORIGINS OF THE STUDENTS OF THE E.N.A.

The geographical distribution of those who entered the E.N.A. between 1945 and 1951 was as follows:

TABLE I
Geographical Origins of Students of the E.N.A. 1945-51

Regions	Percentage of Total Students
Paris	39.2
Central	11.9
South-West	11.9
West	10.7
South-East	10.2
East	8.8
North	2.8
Oversea departments (including Algeria) ..	2.4
Other countries or territories	2.1

Source: E.N.A., *Rapport du Directeur de l'Ecole à son Conseil d'Administration, 1945-52*, Paris, Imprimerie Nationale, 1952, p. 609.

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There is no information in the Report about the boundaries of the regions listed in this table. Moreover it is not clear whether the figures concerning the geographical origins of the students are based on their birth-place or on their place of residence.

There are, however, two other official publications which provide more detailed information about the results of the competitions held in 1952 and in 1953. In one of these documents all the regions are defined and the boundaries of the Paris region are stated to include the following departments : Seine, Seine-et-Oise, Seine-et-Marne, Eure-et-Loir. Table II has been calculated on the basis of the figures given in these documents.

TABLE II
Geographical Origins of Students of the E.N.A. 1952 and 1953

	Candidates				Successful Candidates			
	Competitions for Graduates		Competitions for Civil Servants		Competitions for Graduates		Competitions for Civil Servants	
	Born	Re-siding	Born	Re-siding	Born	Re-siding	Born	Re-siding
In 1952 :								
Paris Region	220	432	121	274	24	43	17	37
Other Regions	461	249	488	335	38	19	50	30
Total ..	681	681	609	609	62	62	67	67
In 1953 :								
Paris Region	215	452	101	255	21	39	11	19
Other Regions	508	271	435	281	32	14	31	23
Total ..	723	723	536	536	53	53	42	42

Source : *E.N.A. Epreuves et statistiques des Concours de 1952*, Paris, Imp. Nationale, 1953, pp. 189-92; *E.N.A. Epreuves et statistiques des Concours de 1953*, Paris, Imp. Nationale, 1954, p. 173.

It is clear that the Paris Region continues to be an important source of future higher civil servants. But it would be very exaggerated to speak of a monopoly. Given all the economic and social features of the Paris Region these results seem to be what one might expect.

It can be safely said, however, that the setting up of six new Institutes of Political Studies outside Paris has not had a great influence on the geographical origins of E.N.A. students. The Institute of Political Studies of Paris, which replaced the late *Sciences Po*, still plays the leading part in the training of future higher civil servants. From 1947 to 1951 inclusive, among the entrants to the E.N.A., those who held the diploma of this Institute constituted 43 per cent. of the total. During the same period the contribution of the provincial Institutes remained negligible, the next highest being the Toulouse Institute, which provided only 1 per cent.; Bordeaux, Grenoble, Lyons and Strasbourg provided only 0.75 per cent. each of the total entrants.¹

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The results of the competitive examinations prove also that candidates holding the diploma of the Institute of Political Studies of Paris have a greater chance of success than those without it.² In 1952, in the competition for graduates, the proportion of those who held this diploma was 42.4 per cent. among all the candidates, but no less than 64.5 per cent. among the successful ones.³ In the competition for graduates in 1953, the proportion out of all candidates was 38.5 per cent.; but of the successful ones, it was no less than 58.5 per cent.⁴

The Institute of Political Studies of Paris also plays an important part in the training of junior civil servants for the competition restricted to them. For instance, in 1950, out of 54 entrants to the E.N.A. who had been successful in the competition for junior civil servants, 42 had previously received some training (regular training or training by correspondence) from the Institute of Political Studies of Paris.⁵ It may be worth noting that during the debates of June, 1945, a member of the Provisional Consultative Assembly, M. Guy de Boysson, had foreseen these results and criticised the substitution of an *Institut d'Etudes Politiques* for the *Ecole Libre des Sciences Politiques*: ". . . If the *Ecole Libre des Sciences Politiques* is maintained in one way or another, as the Institute of Administrative Studies of Paris, the reform will be ineffective. . . . If a substitution of any kind were effected in order to transform the *Ecole Libre des Sciences Politiques* into an Institute of Administrative Studies for Paris, this would lead to the creation of a special status for Paris. Given the fact that there exists only one *Ecole Libre des Sciences Politiques*, the other Institutes set up elsewhere would run the risk of no longer achieving real decentralisation, because the Institute of Paris would no doubt have a greater reputation and a greater importance."⁶

The figures prove that the University of Paris and its *Institut d'Etudes Politiques* continue to attract from the provinces many students who have a vocation for public service. It is not difficult to explain why this should be so. It is not so easy to say, in present conditions, how this situation could be, and why it should be, reversed.

SOCIAL ORIGINS OF THE STUDENTS OF THE E.N.A.

The statistics concerning the social origins of E.N.A. students and of unsuccessful candidates are based on the professions of their fathers. Unfortunately these statistics are far from being adequate for the elucidation of the problem which concerns us. The methods of classification adopted vary, sometimes enormously, from year to year and some of the published statistics are almost completely useless. But, in addition to the documents published by the E.N.A., there are, as will be seen later, some other valuable sources of information, so that it is not impossible to assess whether the reforms of 1945 are likely to bring about the desired effect.

The Report of the Director of the E.N.A. for the years 1945-52 contains a table classifying all students who entered the School during this period, according to the professions of their parents. The Director, in the Introduction to his Report, recalls that one of the aims of the reformers of 1945 was to "democratise the higher Civil Service" and to open it to candidates belonging to different social classes. But unfortunately, as a study of the following table will prove, the information given in this Report is not adequate

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enough to explain how far that aim has been attained. The table contained at page 608 of the Report is as follows :

TABLE III
Social Origins of Students of the E.N.A. 1945-1952

Profession of Parents	Percentage
Public employees	41.5
Commerce and industry	19.5
" Liberal professions "	11.1
Persons of property without any profession ..	5.4
Agriculture	4.1
Skilled artisans and small industry	3.9
Banking and insurance	3.9
Profession unknown or without profession ..	10.6

It is obvious that this scheme of classification is too vague. A public employee may be a member of the Council of State or the head of a ministerial department, but could well be a very humble clerical worker or office attendant. How many of the parents classified under the heading of " commerce and industry " are owners of a business undertaking ? How many of them are salaried employees and how many are merely skilled, or even unskilled, workers ? Can a classification which does not bring out this point give any idea of the " social origin of the students " ? A parent whose occupation is agricultural may be a rich farmer or simply an agricultural worker. The term " banking and insurance " is also extremely vague. Finally the parents without any profession and those whose professions are unknown have been put together, under the same heading, and they represent a rather high proportion (10.6 per cent.) of the total.

Fortunately some statistical publications concerning only a particular year, and indicating the social origins of students who entered the E.N.A. in that year, are more useful. For instance, in a document containing the results of the competitive examinations held in 1951, the first heading (public employees) has been subdivided into different categories corresponding to the classification adopted by the *Statut Général des Fonctionnaires*. This document contains two sets of statistics :

(a) A set of statistics which classifies, according to the profession of their parents, the 582 candidates (and the 71 successful ones) who entered the competition for graduates ;

(b) A similar set of statistics concerning the 522 candidates (and the 52 successful ones) who entered the competition for junior civil servants.

The following table has been obtained by combining these two sets of statistics and by converting the figures into percentages.

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TABLE IV
Social Origins of Examination Candidates in 1951

Profession of Parents	Candidates		Successful Candidates	
	Among Graduates	Among Civil Servants	Among Graduates	Among Civil Servants
Public employees :				
Category A :				
"Directors" or equivalent grades	5.7	0.8	7.0	1.9
Others	14.6	7.7	22.6	9.6
Category B	9.8	6.7	8.5	7.7
Category C	2.4	3.8	2.8	3.9
Category D	0.7	3.1	—	—
Pensioners	1.5	8.0	1.4	1.9
Agriculture	4.5	5.4	4.2	11.5
Skilled artisans and small industry	3.4	6.7	5.6	1.9
Banking, insurance	5.7	2.7	5.6	—
"Liberal professions"	16.7	6.1	15.6	1.9
Public services	5.0	9.0	1.4	13.5
Commerce and industry	21.1	15.5	19.7	23.1
Profession unknown or without profession	8.9	24.5	5.6	23.1
Total	100.0	100.0	100.0	100.0

Source : E.N.A., *Concours d'entrée du 1er octobre 1951, statistiques*, mimeographed, pp. 8 and 15.

Although the subdivision of the first heading into different categories offers more detailed information in comparison with the general figures given in Table III, it is obvious that the other headings (agriculture, commerce and industry, banking and insurance, etc.) are still too vague and include diverse social groups.

A more useful and fuller analysis is available for the competitions held during 1952 and 1953. The classification adopted for these years is so much better than the others that one wonders why the same classification was not used in the Report for the period 1945-52.

The set of statistics for the year 1952⁷ concerns :

(a) 681 candidates (and the 62 successful ones) who entered the competition for graduates ; and

(b) 609 candidates (and the 67 successful ones) who entered the competition for junior civil servants.

The other set of statistics relating to the year 1953⁸ deals with :

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(a) 723 candidates (and 53 successful ones) who entered the competition for graduates ; and

(b) 536 candidates (and 42 successful ones) who entered the competition for junior civil servants.

The following table has been obtained by combining the results of these two years and by converting the figures into percentages.

TABLE V
Social Origins of Examination Candidates for 1952 and 1953

Profession of Parents	Candidates			Successful Candidates		
	Among Grad- uates	Among Civil Ser- vants	Both To- gether	Among Grad- uates	Among Civil Ser- vants	Both To- gether
	%	%	%	%	%	%
Public employees :						
Category A :						
" Directors " and equivalent grades	3.3	1.6	2.5	5.2	2.8	4.0
Others	19.5	14.5	17.2	25.2	18.3	21.9
Category B	8.2	12.1	9.9	2.6	17.4	9.8
Category C	1.9	6.8	4.1	—	3.7	1.8
Category D	0.6	3.0	1.7	0.9	2.8	1.8
Unclassified	—	0.2	0.1	—	0.9	0.4
Skilled artisans and tradesmen	15.5	16.2	15.8	10.4	15.6	13.0
Owners of industrial under- taking	4.1	1.1	2.7	6.1	2.8	4.5
Employees in commerce and industry :						
Management	18.3	7.9	13.7	21.7	11.9	17.0
Junior employees	6.8	11.8	9.1	3.5	6.4	4.9
Industrial workers	1.3	3.9	2.5	1.7	0.9	1.3
" Liberal professions "	14.0	6.8	10.7	15.7	5.5	10.7
Farmers	4.3	7.1	5.6	3.5	4.5	4.0
" Rentiers," persons owning property (except agricultural landowners), without profession	1.8	3.3	2.5	3.5	3.7	3.6
Profession unknown	0.4	3.7	1.9	—	2.8	1.3
Total ..	100.0	100.0	100.0	100.0	100.0	100.0

This table deserves attention because it really affords some idea of the social origins of the students who are trained at the E.N.A. No doubt the

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fact that it deals with the results of only two years limits its value and one has in any case to be cautious in drawing conclusions. But, as will be seen later, the results of other inquiries concerning earlier years confirm, in general, its main features. It is also significant that the distribution of candidates and successful candidates between different social categories differed very little between the two years.

Let us consider as a single group the higher public employees (Category A) and the managerial staff in industrial and commercial undertakings. According to calculations made by M. Marcel Bresard, of the *Institut National d'Etudes Démographiques*, the men who belong to the group of "higher public employees and industrial or commercial managers" constitute 5 per cent. of the total French male adult population.⁹ The candidates whose fathers belong to this social group amount to 33.4 per cent. of all the candidates who entered the competitions in 1952 and 1953. The percentage of candidates belonging to this group varies enormously according to the kind of competition; they represent 41.1 per cent. of the total in the competitions for graduates, but only 24 per cent. in the competitions for junior civil servants. This point will be given further consideration later.

If we do not consider all the candidates, but only the *successful* ones, the percentages of those belonging to this group are even higher: they constitute 42.9 per cent. of all the students who entered the E.N.A. in 1952 and 1953. The proportion of successful candidates belonging to this group is 52.1 per cent. in the competitions for graduates and 33 per cent. in the competitions for junior civil servants.

"Owners of industrial undertakings" and the "liberal professions" constitute altogether 4 per cent. of the French male adult population.⁹ The candidates whose fathers belong to this group represent, in the competitions of 1952-53, a much larger proportion of the total: 13.4 per cent. In this group there is no marked divergence between the proportion of candidates and the proportion of those successful. But a feature which has already been noticed in the previous group is also very apparent in this one: in the competitions for graduates, the percentage of candidates belonging to this group is as high as 18.1 per cent.; in the competitions among junior civil servants, their proportion is only 7.9 per cent.

If all the professional categories already mentioned (namely higher public employees, industrial or commercial managers, manufacturers, "liberal professions") are considered together, the result is rather significant: in 1952-53, 59.2 per cent. of candidates who entered the competitions for graduates and 73.9 per cent. of those who succeeded in these competitions came (according to the professions of their parents) from a social group which represents only 9 per cent. of the French male adult population. In the competitions for junior civil servants, the same group provided only 31.9 per cent. of the candidates and 41.3 per cent. of the successful ones.

Let us consider now the groups of skilled and unskilled industrial workers who constitute—again according to Marcel Bresard's calculations—24 per cent. of the French male adult population.¹⁰ In the competitions of 1952-53 the candidates whose fathers belonged to this group constituted only 2.5 per cent. of the total, and the proportion of the successful ones was even lower (1.3 per cent.). The figures indicate that in the competitions for junior civil

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servants the proportion of candidates coming from working-class families is slightly higher than in the competitions for graduates.¹¹

The significance of these results would be doubtful if they were not confirmed by a thorough investigation covering the period 1945-51. This inquiry, conducted by Mr. Thomas Bottomore¹² with the help of the French *Centre d'Etudes Sociologiques*, deals with 692 persons who succeeded in the entrance competitions of the E.N.A. from its foundation until 1951 and also with a sample of 561 persons chosen at random among all the candidates who attempted these competitive examinations. The representative character of this sample has been checked.

The inquiry is based on the professions of the fathers of students and candidates. In the classification of the professions, a scale of prestige established by the *Institut National d'Etudes Démographiques* has been used.¹³ This scale is less detailed than the scheme of classification given in Table V, but both classifications are very similar in their essentials, and this makes it legitimate to compare the results drawn from the official statistics for 1952 and 1953, with the results of this inquiry covering an earlier but longer period.

According to this inquiry, 19.8 per cent. of the candidates and 23.2 per cent. of the students during the period 1945-51 came from families falling in the first group: manufacturers and "liberal professions." 34.7 per cent. of the candidates and 41.8 per cent. of the students were sons (or daughters) of fathers falling in the second group: higher public employees and industrial or commercial managers.

Thus these two groups, which represent altogether (according to Marcel Bresard's calculations) 9 per cent. of the French adult male population, provided between them 54.4 per cent. of the candidates and 65 per cent. of the students of the E.N.A.

A group which is larger than these first two groups put together, the agricultural workers, provided only 0.2 per cent. of the candidates. During the whole period there was not a single successful candidate whose father was an agricultural worker. Similarly, there was no unskilled worker at all, not only among the fathers of the students, but even among the fathers of unsuccessful candidates.

Although the farmers represent as much as 25 per cent. of the French adult male population, the candidates whose fathers belonged to this group represented merely 8 per cent. of the total and fell to 3.6 per cent. of the successful candidates.

It is clear that on the whole the results of the inquiry and the results drawn from the official statistics concerning 1952 and 1953 tally with each other.¹⁴

One of the features that this inquiry seems to have established beyond any doubt is that there is a marked difference between the social origins of those who enter the competitions for graduates and those who enter the competitions for junior civil servants. This fact (already stressed when commenting on the results of 1952 and 1953) needs no explanation and was, in fact, expected by the reformers. According to the inquiry, the proportion of candidates belonging to the upper groups (manufacturers, "liberal professions," higher public employees, managerial staff) is 62.2 per cent. in the

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competitions among graduates and only 38.4 per cent. in the competitions among junior civil servants. If the successful candidates are considered, these proportions are respectively 75.6 per cent. and 39.1 per cent.

For the lower professional groups the percentages are, on the contrary, higher in the competitions for junior civil servants than in the competitions for graduates. For instance, in the competitions for graduates only 4.1 per cent. of the candidates and 2.6 per cent. of the successful candidates came from families of farmers ; while in the competitions for junior civil servants, the corresponding figures are respectively 13.9 per cent. and 6.3 per cent. The proportion of candidates coming from families of skilled workers is only 1.6 per cent. in the competitions for graduates, but 11.9 per cent. in the competitions for junior civil servants ; for the same professional group, the corresponding figures relating to *successful* candidates are respectively 0.3 per cent. and 8.2 per cent., according to the kind of competition.

CONCLUSIONS

Consideration must now be given to the results which can be deduced from the preceding analyses.

1. It is not possible to claim that there has been, as yet, considerable progress towards the "democratisation" of the higher civil service, so far as the social origins of higher civil servants are concerned. The present state of affairs is far removed from the excessive and chimerical wishes expressed during the debates by certain members of the Provisional Consultative Assembly and quoted in Part I of this article. The wide gap "which separates the son of the worker from the son of the noble and wealthy" cannot be claimed to have been bridged. Nor have the expectations expressed in the Report of the Committee for the Reform of the State ("the advantage of this new system is to ensure a very wide recruitment, almost independent of the social status of the candidate") been fulfilled.

If the present trend continues the proportion of men and women coming from families which belong to the lower strata of society and which form a considerable part of the total population will remain very small in the higher administrative posts reached by recruitment from the E.N.A. Higher officials will come from the wealthier classes or, at least, from the groups which rank high in the scale of prestige.

2. Among the different measures taken in order to change the social structure of the higher Civil Service, the most noticeable influence has been the principle of recruiting half of the students of the E.N.A. by a separate competition restricted to junior civil servants with a certain length of service.

3. Even though the reforms have not considerably increased the chances of those belonging to the lower groups (farmers, industrial workers, agricultural workers), they may have enhanced the opportunities of the *lower* and *middle*, in comparison to the *higher*, bourgeoisie. Unfortunately there is no precise information about the pre-war proportion of higher officials coming from families of junior public employees, of tradesmen or of skilled artisans, so one cannot make a valid comparison. Moreover, changes in the

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general conditions of the country and in the classification of the Civil Service would render such a comparison somewhat difficult.¹⁴ But the proportion of candidates wishing to enter the E.N.A., and the actual students there, coming from these sections of the middle class is now approximately similar to the relative strength of these groups in the whole French population. For instance, for the years 1945-51 the proportion of candidates whose fathers are either tradesmen or skilled artisans is 16.6 per cent. ; the proportion among the successful candidates is 11.4 per cent. According to the official statistics, the figures for 1952-53 are 15.8 per cent. for candidates and 13.0 per cent. for the successful ones. Considering that tradesmen and skilled artisans constitute (according to Marcel Bresard) 15 per cent. of the French adult male population, it is obvious that these groups are well represented in the E.N.A. The position is also similar for candidates (and students) coming from families of junior employees.

4. The reforms have probably had another result : even if they have not altered radically the social structure of the higher Civil Service as a whole, it is very likely that they have altered the distribution inside the higher Civil Service of people coming from different social groups.

Today the *Grands Corps* and some Ministries which maintain—despite the reforms—their special attraction are much more within the reach of candidates who do not belong to the upper classes. The Inspectorate of Finance, the Council of State, the Court of Accounts, the Ministry of Foreign Affairs may be entered, even by a junior civil servant, by way of the E.N.A. Before the reforms, because the competitions run separately by each of these *Grands Corps* had the character of "co-option" and usually required very long and expensive private studies, candidates taking part in these competitions were, in their social origins, markedly different from those seeking to enter other ministerial departments. Today the distribution of students of the E.N.A. within the higher Civil Service depends on their choice and on the grade they obtain, first in the entrance competition and secondly in the classification examination (*examen de classement*) which takes place at the end of their second year of training.

The monthly review *Esprit* has published some figures concerning the composition of one of these *Grands Corps*, the Finance Inspectorate. According to these figures (based on an inquiry by the American sociologist Pitts) there is a marked difference between the periods 1919-39 and 1947-52, from the point of view of the social origins of Inspectors of Finance.¹⁵ Thus in the period 1919-39 only 3.5 per cent. of the Inspectors came from the lower bourgeoisie (*petite bourgeoisie*), whereas between 1947 and 1952, 29 per cent. were drawn from this class. This information should be used with caution because it is based on an incomplete inquiry. For the period 1919-39 the social origins of 34 Inspectors out of a total of 112 (i.e., only 30.1 per cent.) are described as "unknown." For the period 1947-52, five Inspectors out of a total of 31 (i.e., 16.1 per cent.) were unknown. The Inspectors whose social origins remain unknown belonging more probably to the lower classes than to the aristocracy or upper bourgeoisie, the figures quoted (especially those concerning the period 1919-39) cannot be considered as giving a completely accurate picture of the facts.

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Charles Brindillac maintains, on the evidence of some figures relating to the period 1940-43, that the trend towards "democratisation" had begun before the establishment of the E.N.A. But it is not possible to make a sound comparison between the war period and the preceding (or following) ones, because the country was, at last partly, under enemy occupation and conditions were quite exceptional.

5. The fact that very few candidates and students come from the numerically important social groups such as the farmers, the skilled and unskilled industrial workers, and the agricultural workers—especially in the competitions for graduates—must be attributed to deeper causes than those eradicated by the reformers of 1945.

The nationalisation of the *Ecole Libre des Sciences Politiques*, the foundation of a National Administrative College, the students of which receive a reasonable salary from the day they enter the School, the foundation of public service scholarships—all these have proved inadequate to achieve the dreams of the main protagonists of the reforms. In fact, differentiation between young people belonging to various social classes begins at an earlier stage: in the secondary schools and in the universities.

It was explained in Part I that—in contrast to the competition for graduates—a diploma is not required by junior civil servants as a qualification for the entrance competition to the E.N.A. But, in fact, a large proportion of the junior civil servants who take part have received either a university education or a secondary education.¹⁶ Those who have not attained a certain level of education do not even consider the possibility of entering the E.N.A. or if they take part in the competitions their chances of success are very small. A study of official statistics showing the educational background of the successful candidates, from 1947 to 1951 inclusive, leaves no doubt on this score. During this period 3.75 per cent. of the successful candidates had undertaken post-graduates studies and had obtained a doctor's degree, the majority in law; 74.62 per cent. of the successful had graduated, mostly from a Faculty of Law; 9.85 per cent. of them had a diploma from other institutions of higher education; and 7.34 per cent. had only the *baccalauréat* diploma (secondary education). The proportion of the successful candidates who had not continued their education up to the *baccalauréat* was only 4 per cent.¹⁷

These figures indicate that the problem of the "democratisation" of recruitment for the higher Civil Service is bound up with the "democratisation" of the secondary and University educational systems. If among secondary grammar school children (*lycéens*) the proportion of those coming from working-class families or farmer families is small, their proportion will necessarily be small in the E.N.A.

Some figures published by the *Bureau Universitaire de Statistique* and the results of an inquiry conducted, in some secondary schools and in the Law Faculties of two provincial Universities, by the *Institut National d'Etudes Démographiques*, may throw more light on this subject.

According to the statistics drawn up by the *Bureau* and published in the April, 1952, issue of *Esprit*,¹⁸ 4.6 per cent. of French University students belong to families of artisans; 4.4 per cent. to families of farmers; 1.7

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per cent. to families of industrial workers, and 0.8 per cent. to families of agricultural workers. The figures are even lower for the students in Law Faculties.¹⁹

The classification adopted for the I.N.E.D. inquiry and the results they obtained are slightly different from those just mentioned. This inquiry was restricted to the Faculty of Law at Nancy University and to the two Faculties of Law which exist at Lille (one of them is a State and the other a Catholic Faculty)²⁰. The proportion of law students belonging to families of agricultural and industrial workers is calculated to be 9 per cent. at Lille and 3 per cent. at Nancy. Law students whose fathers are farmers constitute 2 per cent. of the total at Lille and 5 per cent. of the total at Nancy.

According to other figures calculated by the *Bureau Universitaire de Statistique*²¹ and relating to the students of all French provincial Universities (i.e., excluding the University of Paris), 2.8 per cent. of the students belong to families of industrial workers; 0.8 per cent. to families of agricultural workers²²; 4.5 per cent. to families of farmers. The proportion of students whose fathers are owners of a business undertaking or practise a liberal profession is 27.7 per cent.

An M.R.P. deputy, M. Raymond Cayol, who was a chief protagonist for opening the doors of French Universities to the lower classes (and who was called "the students' M.P.")²³, summed up the present situation in the following words: "The academic population is the inverted image of the nation's active population; two-thirds of the active population provide 1/9 of the students and the other third provide 8/9 of them."²⁴

Obviously there is a connection between all this and the number and value of available scholarships. According to the *Bureau*, in 1951 there were in France 139,533 University students and the proportion of students holding a scholarship was slightly over 10 per cent. Only 7,801 students were housed in a *cité universitaire*. In the main University towns in France, the students who do not enjoy the privilege of being housed in this way can take advantage of cheap students' restaurants. Nevertheless, according to *Esprit*, even in 1951, the average monthly expenses of a University student amounted to no less than 20,000 francs, whilst the majority of scholarships available for University students were, in the same year, about 6,000 francs per month and some only 4,500 francs per month. Since then both the number and the value of scholarships have been increased, but those available are clearly insufficient to open the Universities to all social classes.²⁵ Some people have suggested replacing this inadequate scholarship system by a bold scheme of "pre-salary" or by a "repayable loan."²⁶ They claim that the social and economic rights proclaimed in the Preamble to the Constitution of 27th October, 1946, can only be achieved in this way. The passages of the Preamble which are cited in support of these claims are: "The nation ensures to the individual or to the family the conditions which are necessary for their development"; and: "The nation guarantees equal access for children and adults to education, to professional training and to culture."

It must be noted that there exist people who object to the idea of a University open to all classes, not only on the grounds of financial and practical difficulties, but because they reject the principles of such a policy. The rather extremist point of view expressed by an organisation called "Ligue

de la République" is an interesting example: "The pre-salary payment would bring about the end of all the traditions on which the University and higher education repose in France. . . . It would result in the entry into the University of a very great number of students coming from the working class and, by this very fact, contaminated, in a proportion of 75 per cent., by the Communist virus. These students, who would thus form the absolute majority of all students, would make of our Universities the crucible for a Communist élite ready for the social revolution."²⁷

Are these suppositions well founded? It is not certain at all that increased educational opportunities for the lower classes would help Communism. On the contrary, it might be argued that the wider the gap between the classes, the more violent becomes the class struggle. Societies with a greater social mobility are perhaps less exposed to Communism than societies with a rigid class structure. Moreover it does not seem probable that the majority of University students will ever come from the working class, merely if the number of scholarships is increased and all needy University students are ensured the means of a decent life. Among working-class parents the desire for higher education for the children is not as strong as in the middle classes. Besides, as has been pointed out by Mr. Bottomore,²⁸ in a working class possessing a strong and militant class-consciousness, those who try to educate their children in order to enable them to move into the higher classes are sometimes held in poor esteem. In their view the promotion of a few individuals from one class to another is not so important; it is desired to change the social and political position of the working class as a whole.

Inquiries made in French secondary schools prove that the proportions of secondary schoolboys and schoolgirls coming from families of farmers or workers are very small. Given the fact that state *lycées* are spread all over the country and that no fees are payable, one would imagine that more farmers and also more skilled workers would be financially capable of ensuring a better education to their children, if they really wanted to do so. The figures seem to prove that, apart from the financial problem, there are other factors. Geographical and cultural isolation, stressed by Mr. T. Bottomore, has perhaps a greater influence than income, especially for the agricultural population.

Inquiries carried out by the *Institut National d'Etudes Démographiques* in seven *lycées* in the Department of the Seine showed that the proportion of pupils coming from working-class homes was only 5 per cent. For a region which includes Paris and its outskirts and one where there exists a big working-class population, a result of this kind is very significant. In the same region, schoolboys and schoolgirls coming from agricultural homes constitute only 1 per cent. of the total. (In other regions this figure would probably be higher.)

In the same seven *lycées*, 32 per cent. of the pupils came from families of industrial or commercial employees, 28 per cent. from families of public employees, 16 per cent. from families of manufacturers or people exercising a liberal profession, and 18 per cent. from families of artisans or tradesmen.²⁹

These figures confirm once more that the changes made in 1945, with the aims of creating a higher Civil Service drawn from all classes of the nation, and of ensuring a recruitment "almost independent of the social

status of the candidate," were in fact superficial reforms. It is not possible, by setting up the E.N.A. and nationalising the privately controlled *Ecole des Sciences Politiques*, to stop a selection which takes place already in secondary schools and in the Universities.

The social origins of the students educated in the nationalised "*Sciences Po*" since 1945 are likely to dispel the illusions of some fierce critics of the old "*Sciences Po*," who were expecting miraculous results from nationalisation. Despite the drastic steps taken in 1945, among the students who entered the *Institut d'Etudes Politiques* of Paris (from the academic year 1944-45 to the academic year 1949-50), only 2 per cent. came from the families of farmers (who represent 25 per cent. of the French adult male population) and only 0.3 per cent. from the families of skilled workers (who represent 22 per cent. of the French adult male population). Agricultural workers and unskilled industrial workers were not represented at all. In contrast, those whose fathers belonged to the two top groups in the scale of prestige established by the I.N.E.D. constituted 73 per cent. of the total.³⁰ It is probable that the nationalisation of "*Sciences Po*" has increased, in comparison with the pre-war situation, the proportion of students coming from the middle and lower middle classes (junior employees, artisans, etc.). But workers and farmers seem to be still beyond the reach of the 1945 reforms.

There is a point which must, however, be borne in mind. One may get a false impression of the degree of social mobility in France if one considers only the professions of the *fathers* of young people educated in secondary schools and universities. In fact, the "rise" from a family of farmers or workers to a University education or to an important government post takes place slowly, in two or even more generations. The inquiries of the *Institut National d'Etudes Démographiques* in secondary schools and in the Law Faculties of Nancy and Lille indicate that the percentage of schoolchildren and students whose *grandfathers* were farmers or skilled industrial workers is considerably higher than the figures obtained by considering merely the professions of the fathers. For instance, in the Faculty of Law at Nancy, students whose grandfathers were skilled workers constituted 8 per cent., and those whose grandfathers were farmers constituted 21 per cent., of the total. But there were practically no unskilled workers and agricultural workers even among the *grandfathers* of secondary schoolchildren and students.³¹

COMMENT

What are the conclusions to be drawn from the French experiment? Let the most obvious one be repeated once more: the way to reconcile "equality of opportunity" with efficiency and competence in the Civil Service is through democratisation of the entire educational system. Reforms which affect only some institutions at the apex of this system are bound to remain superficial.

Gilbert Tixier, himself a graduate of the *Ecole Libre des Sciences Politiques*, was sent to Britain in 1945 on behalf of the Provisional Mission for the Reform of the Civil Service in order to study the recruitment of the British Civil Service and to report. He compares, in a book published after the reforms, the French methods with the post-war trends in Britain towards more

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educational opportunities for the lower classes, and very accurately points out that the future effect of the reforms achieved in France "ought not to be exaggerated," because—he says—"French reforms are revolutionary chiefly on paper."³² He recalls that the whole series of reforms introduced in 1945 had been hurriedly prepared and shaped in ten months by a few young officials and continues: "In France we begin too hastily . . . by constructing on paper fine theoretical edifices. Then, coming up against reality, these plans, to which legislation gives legality and thereby executive force, become deadened and even change their character completely. . . . In Great Britain the opposite method is employed. A legislative reform is very often only a faithful expression of the evolution of economic facts, or of ideas."³³

The kind of training given at the E.N.A. (which includes, besides lectures and seminars, a year's practical training in the provinces, in North Africa, in remoter oversea territories, or in Germany; and also a much shorter period in private firms and sometimes, even, as an ordinary worker in factories) will perhaps have more influence on the outlook of the French higher Civil Service than the measures which were aimed at widening the field of recruitment. It is not at all certain that higher civil servants coming from the lower classes necessarily possess more understanding of the needs and problems of those classes. It is certainly untrue that only civil servants coming from the lower classes are capable of such an understanding.

Equality of opportunity for all is, no doubt, attractive; but sense of duty, loyalty and devotion to the permanent interests of the State, traditional qualities of an administrative "corps," are at least as important as the professions of the fathers of higher civil servants.

Much has been said about the Conservative outlook of the British higher Civil Service, on the social origins and educational backgrounds of higher civil servants in Britain, on the possibility of a clash between them and a Socialist Government. In fact, it seems certain that there was no friction between Socialist ministers and their advisers, when the Labour Party was in power, and that the British Civil Service served with loyalty its political heads.³⁴

The existence of a non-political body organising recruitment and competitive examinations, the impartiality of the Civil Service, the loyalty of civil servants to the Government of the day whatever their personal opinions may be, the exercise of a real and vigilant parliamentary control—these are much more valuable guarantees against the excesses of bureaucracy than hasty reforms aimed at revolutionising the social origins of civil servants. And comparison between the British and French experiences may prove that, even for this last purpose, gradual measures such as an increase in the number and value of scholarships can be more effective than drastic measures such as nationalisation.

³²Calculated according to *Rapport . . .*, pp. 607-608. Most of these students hold, besides the diploma of an Institute of Political Studies, a "licence" in law or a "licence" in letters. The overwhelming superiority of the Institute of Political Studies of Paris continued in 1952 and in 1953. In 1952, in the competition for graduates, 40 successful candidates out of a total of 62 held the diploma of this Institute. The Institutes at Bordeaux and Grenoble were represented by one successful candidate each, the Institute of Strasbourg by two and that of Lyons by three successful candidates.

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In this competition there was no successful candidate from the Institutes of Algiers and Toulouse. (See *Epreuves et Statistiques des Concours de 1952*, Paris, Imp. Nationale, 1953, pp. 182-3.) In the competitions of 1953 (for graduates), out of a total of 53 successful candidates, the Institute of Paris was represented by 31 graduates, Strasbourg by two, Toulouse by two, Lyons by one, Algiers by one. The Institutes at Grenoble and Bordeaux had no successful candidates (*Epreuves et Statistiques des Concours de 1953*, Paris, Imp. Nationale, 1954, pp. 167-9).

²See on this point *Rapport du Directeur*, 1945-52, p. 30. See also T. Bottomore, "La mobilité sociale dans la haute administration française," *Cahiers Internationaux de Sociologie*, Vol. XIII, 1952, p. 171, note 6.

³Calculated according to the tables published in *Epreuves et Statistiques des Concours de 1952*, Paris, Imp. Nationale, 1953, pp. 182-3.

⁴Calculated according to the tables published in *Epreuves et Statistiques des Concours de 1953*, Paris, Imp. Nat., 1954, pp. 167-9.

⁵*Rapport du Directeur*, 1952, p. 61.

⁶*J.O. Débats*, 22.6.1945, p. 1177.

⁷*Epreuves et Statistiques des Concours de 1952*, Paris, Imp. Nationale, 1953, p. 186.

⁸Ditto for 1953, p. 172.

⁹Marcel Bresard, "Mobilité sociale et dimension de la famille," in *Population* (the organ of the I.N.E.D.), Year V, Number 3, July-September, 1950. See also Thomas Bottomore, "La Mobilité Sociale dans la Haute Administration Française," *Cahiers Internationaux de Sociologie*, Vol. XIII, 1952, p. 169, table I, column II.

¹⁰Agricultural workers are not included in this figure. They are not mentioned in the official statistics of the results of the competitions held in 1952 and 1953. They may have been included under the heading of "farmers"; but it is probable that there was no candidate belonging to this category in 1952 and 1953: the results of Mr. Thomas Bottomore's inquiry, which will shortly be mentioned, tend to confirm this last hypothesis.

¹¹In the statistics of the results for 1953, skilled and unskilled workers are not differentiated. But in the document relating to the competitions held in 1952, they are grouped under two different headings and the results indicate that the contribution of families of unskilled workers was insignificant: 0.6 per cent. of the candidates and no successful candidate at all. (Calculated according to *Epreuves et Statistiques des Concours de 1952*, Paris, Imprimerie Nationale, 1953, p. 186.)

¹²T. Bottomore, op. cit., *Cahiers Internationaux de Sociologie*, Vol. XIII, 1952, p. 167.

¹³Obviously it is very difficult to establish a "scale of prestige" for different occupations. The scale of the *Institut National d'Etudes Démographiques* is based on three criteria: (a) The outward signs of standard of life, such as property, car, domestic help, telephone; (b) Standard of education; (c) Average age of the members of a profession. (See "Mobilité Sociale et Dimension de la Famille," *Population*, I.N.E.D., July-September, 1950, Vol. V, Number 3, p. 535, note 1, and Appendix, pp. 563-4.)

¹⁴There is nevertheless a noticeable difference between the results of the inquiry and the official statistics of 1952 and 1953, where they relate to the proportion of candidates and students coming from the families of skilled workers. (According to Mr. Bottomore's inquiry they represent 5.3 per cent. of the candidates and 3.3 per cent. of the students. The percentages for 1952 and 1953 are smaller.) As the official figures concern only a relatively short period, this divergence may be simply due to chance. But it is probable that two different criteria have been applied. Workers employed by the Government, and therefore considered juridically as "fonctionnaires" under the *Statut Général des Fonctionnaires*, may have been included in the official statistics among the junior public employees. A slightly different criterion may also have been applied in distinguishing between higher and junior employees. The category of "rentiers, persons of property, which appears in the official classification, does not exist in the scale of prestige established by the I.N.E.D. and in Mr. Bottomore's classification. Those who would fall into this category must have been included in other groups. This may also have very slightly influenced the results.

¹⁵Charles Brindillac, "Les Hauts Fonctionnaires," *Esprit*, June, 1953, p. 865.

¹⁶See *Rapport du Directeur*, 1945-52, p. 33.

¹⁷Calculated on the basis of statistics published in the *Rapport du Directeur*, 1945-52, pp. 607-8.

¹⁸See also *Population*, Year VI, Number I, January-March, 1951, p. 120.

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¹⁹Law students whose fathers are artisans, 3.8 per cent.; farmers, 3.4 per cent.; industrial workers, 1.5 per cent.; agricultural workers, 0.7 per cent.

²⁰Alain Girard, who published the results of the inquiry, pointed out that one cannot emphasise enough the fragmentary nature of this inquiry ("Mérité sociale et dimension de la famille, 2 ème partie : Enquête dans les lycées et les facultés," *Population*, January-March, 1951, p. 103).

²¹Published in *Esprit*, April, 1952 (special issue devoted to student problems), p. 548.

²²According to the figures given by D. Albo in the daily newspaper *Combat*, students coming from families of industrial workers constitute 1.9 per cent. of the total, and those coming from families of agricultural workers constitute 0.9 per cent. (quoted in *Esprit*, April, 1952, p. 548). Discrepancies between the figures concerning industrial workers may be partly due to the fact that some workers are perhaps classified as public employees.

²³He lost his seat at the General Elections of 1951.

²⁴*Esprit*, April, 1952, p. 660.

²⁵In 1952 it was decided to increase the number of scholarships to 24,000 and the amount paid to 100,000 per annum (8,333 frs. per month), *Esprit*, April, 1952, p. 550.

²⁶For these suggestions see François Sarda, "Pré-salaire et démocratisation de l'Université," *Esprit*, April, 1952, pp. 658-70. A Private Member's Bill was introduced for the adoption of the repayable loan system by the Socialist Deputy Doutrelot (28th February, 1950, Number 9356). See also the trade union paper *Force Ouvrière*, 6th February, 1951.

²⁷From the *Bulletin de la Ligue de la République*, quoted in *Esprit*, April, 1952, p. 658.

²⁸Op. cit., p. 176.

²⁹*Esprit*, April, 1952, p. 549; *Population*, January-March, 1951, p. 109, Table IV.

³⁰See note 13 and Bottomore, op. cit., p. 174. Mr. Bottomore specifies that these figures are based on information provided by the staff of the Institute and that they must be interpreted with great caution, though on the whole they probably reflect the real situation.

³¹Alain Girard, op. cit., *Population*, January-March, 1951, p. 120. Charles Brindillac also points out that the rise takes place usually in two or three generations. See "Les Hauts Fonctionnaires," *Esprit*, June, 1953, p. 866.

³²G. Tixier, *La Formation des Cadres supérieurs de l'Etat en Grande-Bretagne et en France*, Paris, Librairie Générale de Droit et de Jurisprudence, 1948, p. 66.

³³Ibid., p. 53.

³⁴See for instance the recent testimony of Herbert Morrison, *Government and Parliament*, 1954, pp. 319-20, 334-6.

STUDIES OF ADMINISTRATIVE METHODS

The Royal Institute of Public Administration undertakes studies of administrative methods, which subject particular problems to intensive investigation, and seek to define the principles of efficient practice and to show how substantial economies can be achieved.

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ROYAL INSTITUTE OF PUBLIC ADMINISTRATION

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Need All New Staff be Medically Examined?

By JOHN SARGENT

This report by the Institute's Assistant Director is based on a panel discussion that took place in London in October of last year at a meeting of local government establishment officers.

As a result of an investigation into the cost of medically examining new entrants, officers of the Hertfordshire County Council last year considered whether or not such examinations could be abandoned, and the interest of many local government establishment officers was aroused when Mr. R. W. Silversides, the O. & M. Officer for Hertfordshire, made known his authority's concern in this matter at a meeting arranged early last year by the Royal Institute of Public Administration.

The Institute subsequently arranged for a panel discussion to take place at a later meeting of local government establishment officers at Caxton Hall in October, 1954. We were fortunate in persuading Dr. W. E. Chiesman, Medical Adviser to H.M. Treasury, Mr. H. W. Jackson, of the Sun Life Assurance Society, and Mr. Silversides to participate—it being my privilege to take the chair.

Why Examine?

Mr. Silversides, introducing the subject, said that one must first consider the real purpose of medically examining new entrants. He suggested that Local Authorities usually had in mind one or more of the following reasons:

- (a) The protection of superannuation funds. No benefits can normally accrue to local government officers with less than ten years' service and the medical examination on entry meant that the authority was anticipating the situation ten years ahead.
- (b) The protection of the sickness payment scheme authorised by the appropriate National Joint Council.
- (c) Fitness for the job.

Obviously certain duties involved special medical requirements, e.g., those of staff in nurseries or the ambulance service, but these represented a small minority of Local Government employees, and it was certainly questionable whether there was any justification for the expense, in terms of fees or the time of Medical Officers, of medically examining the remainder. Furthermore, arranging medical examinations inevitably delayed confirmation of appointments.

Mr. Silversides thought that there was a tendency in Local Government to take an over-sentimental view of the continued employment of an officer or servant who was frequently absent through ill health, almost from the commencement of his service with an authority. In order to "protect" the superannuation fund and sick pay benefits, serious consideration should be given to terminating such an employee's service on the grounds that he was incapable of carrying out his duties satisfactorily. The position of an employee who was not frequently absent through sickness until he had

completed a long period of service with the authority was quite different, but in these cases a medical examination on appointment was unlikely to provide any protection.

Mr. Silversides suggested that a carefully designed questionnaire should be completed by each new employee and examined by the Medical Officer. This would probably provide the essential safeguard. Such a method would not only reduce substantially the cost of medical examinations, but would also shorten delays in making appointments. It would still, of course, be possible for the doctor to require a medical examination should he consider this essential after examining the questionnaire.

Assurance Company Experience

Mr. H. W. Jackson then described how the Sun Life Assurance Society had introduced, on a wide scale, life assurance without medical examination. Although a medical examination for employment might be given for different reasons, he thought that the degree of risk was limited, especially if the superannuation benefits were reasonably small. Fifty years of statistics showed that the sickness incidence in those offices insisting upon medical examinations differed but little from those who did not. The safeguard of a carefully-designed questionnaire which covered not only the more serious diseases but also past family health was satisfactory, but there was also the legal precaution that benefit might be refused if a false declaration had been made. The name of the applicant's doctor, to whom reference might be made, was also requested, and special arrangements for paying general practitioners for this service had been made with the help and approval of the British Medical Association.

Mr. Jackson then went on to say that an interview with the applicant frequently revealed obvious physical weaknesses, not only from the point of view of physical appearance but also from the way in which questions were answered by the applicant. Final decision rested with the company's medical officer, who could call for any medical examination. The occasional insurance policy issued in respect of an unhealthy person was so rare as to be actuarially unimportant and pension schemes involving a reasonably large number of employees were often arranged for organisations without recourse to medical examinations.

The Civil Service—An Experiment

Dr. W. E. Chiesman said that he would try to be objective about this problem. He fully realised, however, the limitations of the medical examination and also that if officers were declared to be medically fit when entering employment there was always the possibility that subsequent illness might be claimed to be due to the employment itself. His earlier experience in industry had taught him that for certain occupations a general medical examination was desirable, and he realised that there was some advantage in having medical examinations from the welfare viewpoint, especially as far as staff in the lower grades were concerned. In the Civil Service, where recruitment was a gigantic task, there was enormous expenditure on medical examinations, although most grades were employed on work which had no particular hazards and many performed clerical duties. The number of

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rejections was very small—about 4 to 5 per cent. for manual workers and only 2 in every 1,000 of those applying for clerical work. A factor which had to be considered in the Civil Service was the rising sick rate, and new entrants were given a period of probation before becoming fully established. Those who were regarded as medically unfit might be employed under special terms which entitled them to reduced sick leave privileges, but should these officers still be in service at 55, or have regained their health before that age is reached, they could apply to be fully established. Dr. Chiesman said that the questionnaire solution to the problem had been looked into and an objective experiment had been carried out involving 1,000 men and 500 women employed on the lower manual grades. The results were quite revealing, and after doctors had scrutinised the questionnaires, and medically examined all 1,500, the following results were obtained :

Rejections by normal medical examination	... 7.6 per cent. women, 10.1 per cent. men
Rejections by questionnaire	... 5.6 per cent. women, 8.6 per cent. men

It was found necessary to refer some 40.6 per cent. of the cases for medical examination on queries arising from the questionnaire. Furthermore, the 100 per cent. medical examination brought to light some 20 cases which led to rejections which would not have been discovered on the questionnaire alone. Dr. Chiesman agreed that this demonstrated that the questionnaire was not infallible, but if one overlooked the advantage, especially to manual workers, of having an examination which might set them on the path to health, he felt that the questionnaire method should prove to be an economy and well worth trying.

Disabled Persons

Dr. Chiesman then spoke about the difficulties involved in employing the minimum quota of 3 per cent. disabled persons. He felt that some problems arose because the medical examination of these people tried to do too many things at once and did not always give sufficient consideration to the variety of employment that might be offered to disabled personnel. Some authorities were concerned about their sickness or superannuation funds ; others accepted the necessity for carrying their fair share of disabled people. It appeared that many public authorities had some difficulty in accepting their quota in spite of pressure from ex-Service associations and efforts made by the Ministry of Labour and National Service. The Civil Service accepted these people on a permanently unestablished basis and so prevented them from being a liability from the pensions viewpoint. If the purpose of medical examination was merely to protect superannuation funds, there was little justification for it unless the work itself had particular hazards.

Accuracy

The whole problem should not be over-simplified ; protection of the superannuation and sickness benefit funds were not the only objectives and medical examinations certainly had other advantages. The types of people completing the questionnaire referred to also had some bearing on the matter, and accuracy was to some extent conditioned by their keenness to qualify for the job offered. The experiment revealed a discrepancy rate of only

6 per cent. between the questionnaire and the medical examination, in a group of workers who were below average in mental ability.

It should also be said that doctors are not always the best persons to judge fitness for the job, as their opinions varied and the exact nature of the work was often not known to them. So many designations were misleading—a man's ability to do a job, even if he is disabled, is conditioned by his will to do that job. A questionnaire plus a period of probation was recommended if it was agreed that a superannuation scheme was unlikely to be affected.

Mr. Silversides then explained that the local government superannuation funds were actuarially assessed every five years, but the actuaries did not look into the type of medical examination demanded by local authorities and they appeared to base their conclusions on a national foundation. He then asked Mr. Jackson whether his existing questionnaire would be affected by the fact that, in local government, no liability would normally accrue for ten years from the date of its completion. Mr. Jackson replied to the effect that the actuaries, in working out tables based on mortality, assumed that the effect of a medical examination or the investigation of a man's medical history was not effective after five years, and therefore by requiring ten years before benefit accrued there was an even greater margin. Industrial life assurance was based on the census returns and calculations made on a cross-section of the population. Ordinary life offices used tables based on their own statistics, and, as a matter of fact, the local government service was classed, with the Civil Service, as being an exceptionally good risk.

Conclusions

After hearing the general discussion in which local government officers and representatives from the public corporations took part, I felt that the afternoon had been particularly fruitful insofar as it had largely disposed of the fear expressed by so many Local Authority representatives at the earlier meeting that superannuation and sickness funds were likely to suffer if the medical examination of all new entrants was abandoned. There was much to be said for the amalgamation of Local Authority superannuation funds and that would ensure statistically that there could be little risk if an occasional person in bad health was recruited.

Careful design of the questionnaire form would be necessary but omissions could be rectified at the interview stage by asking candidates for pertinent details. Although we should bear in mind the welfare advantages of giving new entrants a medical examination, there was little doubt that fitness for the job was the most important justification. As far as clerical staff were concerned, the risk was infinitely small although it would obviously be unwise to abandon medical examinations where there was a degree of hazard in the work itself or danger to other people as with public vehicle drivers, or where there was risk of infection to children in schools and clinics. The demands upon sickness funds during the early years of service were within the control of local authorities and a medical examination would not necessarily affect the situation after a few years had elapsed.

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(Postscript)

A report by the Staff and Establishment Committee, recommending that the medical examination of new entrants be abandoned, with certain exceptions, was adopted by the Hertfordshire County Council on the 3rd March of this year. A questionnaire would be used, and entrants warned that any failure to give full or accurate replies would be regarded by the Council as grounds for dismissal. The exceptions included those performing duties involving particular physical stress, such as policemen, firemen and ambulance men. Permanent staff likely to have close contact with children or with the preparation of food would have to submit to an X-ray examination to obviate the risk of tuberculosis infection, and the Council intended asking the Health Committee to extend this service to cover Assistant County Medical Officers and members of the staff undertaking health visiting and midwifery. Steps would also be taken to see that all officers in this category remained free from infection.

On 11th May, 1955, the Leicestershire County Council decided to suspend medical examinations for a trial period of twelve months, except for certain employees on whose fitness public safety depends. This decision follows a report by the County Medical Officer who had pointed out that only about 1 per cent. of the candidates for employment failed to pass the medical examination and that actuarial experience suggested that the result of a medical examination was valueless after a period of five years had elapsed. All candidates will continue to be submitted to a chest X-ray examination, however, and the Medical Officer reserves the right to call for examination should answers to the questionnaire suggest such action to be desirable.

Since these decisions were taken, it has been learned that several other public authorities are giving serious consideration to this question of medical examinations for new entrants.

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The Joint Local Office Experiment

By H. TREVOR WOOLSTON

The existence of three sets of Local Offices to administer the social services provided by the Central Government raises the question whether it would not be more convenient to the public and lead to a saving in administrative costs if they were amalgamated. This article by the Editor of "Civil Service Opinion" explains some of the difficulties which led to the recent experiment being abandoned.

ONE of the most interesting of experiments in new forms of local office organisation tried in recent years, was discontinued last September after about eighteen months' trial. This was an experiment in the joint working of fifty local offices of the Ministry of National Insurance and fifty of the Ministry of Labour and National Service. Some months after it began National Assistance Board work was also undertaken in a number of these offices. The object of the experiment was to investigate the possibility of achieving an overall economy in Government expenditure by establishing combined offices to carry out the local work of two or more Departments, and to provide data and experience on which decisions about the future organisation of such local work might be taken.

The aim was, therefore, to make the most effective use of joint accommodation, equipment and staff time and to build up an organisation which would be flexible enough to meet a variety of local conditions, while maintaining the standard of work and of service to the public. The two main Departments involved selected fifty places where the local Employment Exchange and National Insurance Office already occupied the same building, and where the two offices could be merged under the control of one manager. The experiment was limited to six Regions. The Regions involved were Northern, Eastern, London Outer, South-Western, Wales and Scotland, and most of the offices were small or only medium in size, such as had been managed by the Executive or Higher Executive Grades of the Ministry of National Insurance or by Grade 5 or 4 Officers of the Ministry of Labour and National Service. A few larger offices were, however, included to make the experiment more representative. Originally it was intended to run the experiment for twelve months, but at the end of that time it was continued in operation while the results were being considered.

Preliminary Arrangements

The 50 joint local offices were equally divided, 25 coming under the Ministry of National Insurance and 25 under the Ministry of Labour and National Service. Some of the offices involved were already doing agency work for the Ministry of Food when the experiment began in April 1953. In August, 1953, the Ministry of National Insurance was merged with the Ministry of Pensions and from that time onwards the new Ministry of Pensions and National Insurance also took over responsibility for dealing with war pensions. From 14th September, 1953, the experiment was extended to include National Assistance Board work in 14 of the 50 joint local offices. The conduct of the experiment was, therefore, by no means easy with such a wide range of work and responsibility involved.

The staff in post continued under the joint local office managers during the period of the experiment. The manager of each office belonged to the Department controlling the experiment there (the "Agent" Department) and his deputy to the "Client" Department. The day-to-day direction of work, staff control and responsibility for general efficiency fell to this agent Ministry, but each Ministry remained responsible for the policy and technical performance of its own work. The manager of a Ministry of National Insurance Joint Local Office referred to, and accepted directions from, the Ministry of Labour and National Service Regional Office or Headquarters on the departmental work of that Ministry; for example, placing, unemployment benefit, and registration for national service. On Ministry of National Insurance departmental work and all establishments and organisational matters, he remained under the direct control of the Ministry of National Insurance Regional Office. The manager assumed responsibilities for the full range of duties of the Employment Exchange taken over, including existing responsibilities for any sub-offices, Branch Employment Offices, or Local Agencies. He performed all managerial functions, including control of staff and day-to-day direction and organisation of the business of the Joint Local Office for which he was responsible to his own Regional Office. He also carried out internal inspections and managerial checks as prescribed by the Client Department. In addition he attended managers' meetings of both Ministries and meetings of the appropriate local committees concerned with departmental work, i.e., the Local Advisory Committee, the Local Employment Committee and possibly the Food Control Committee. The manager of a Ministry of Labour Joint Local Office carried similar responsibilities and was responsible to the Ministry of National Insurance Regional Office on technical questions arising, for example, on sickness and injury benefit claims.

Each joint local office was inspected by a team of officers from the Regional Offices of both Departments, and audit examinations were also made by a team from the Regional Finance Offices of both Departments. Advisory visits by specialist officers from both Regional Offices were also made as necessary.

The Effect on the Public

From the public point of view, callers came to the same building much as before, for Ministry of Labour and National Service, Ministry of Pensions and National Insurance, Ministry of Food and, in some cases, National Assistance Board enquiries. Apart, therefore, from changes in counter arrangements and perhaps in opening hours, the public were very little affected. In some offices, it was possible to run a common counter, or, at any rate, to have contiguous counters for dealing with different types of enquiry, but the offices, apart from such minor alterations, were not specially prepared for the experiment and naturally there were many day-to-day practical difficulties which had to be dealt with as the premises permitted.

The work of the Ministry of Labour and National Service in relation to members of the public, for example, placing applicants in suitable employment, dealing with claims for unemployment benefit, maintaining registration for employment, obtaining evidence of unemployment and paying unemploy-

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ment benefit, is done mainly by direct contact in the office. The Employment Exchange, therefore, opens earlier to the public and closes later than a National Insurance Office. One late night is also usually provided to enable persons who have returned to work to sign off and receive any outstanding amounts of unemployment benefit. Because of this, it was necessary in most cases to extend the Ministry of National Insurance hours, and some Joint Offices opened at 9 a.m. instead of 10 a.m. and stayed open until 5 p.m. instead of 4 p.m. Other Joint Local Offices closed on most days earlier than used to be the practice in the Ministry of Labour and National Service. But this depended on local circumstances.

The Arrangement of the Work

The main effects of the experiment were, however, felt by the staff of the office. Some duties (e.g., management, finance, cleaning, common attendance book) were merged at all the joint offices as soon as the experiment began. The managers and deputy managers had already had background training courses in the work of the "other Department." As the experiment progressed, other duties were brought together. Some of the functions which were combined included rating (fixing the rate of benefit and period for which that rate will remain payable); computation (calculating the amount of benefit payable); adjudication (deciding the entitlement to benefit—and determining other questions relating to benefit claims); visiting; and counter work. These were all amalgamated in varying degrees in different offices. Common services integrated included post opening and despatch, stationery stores, receipt of valuables, typing, and telephone.

In the early months managers devoted themselves to planning, organising and integrating work, re-allocating and training staff and reviewing internal accommodation to see how best it could be used in the new situation and whether it would be possible to save space. Necessary adaptations were made in the premises, but, as a matter of prudence in case the experiment proved unsuccessful, space saved during the course of the experiment was not re-allocated to other Departments. Naturally, there were occasions when even minor adaptations presented difficulties. In one office where, after due notice had been given to the public that the hours of opening were to be changed (as were the rooms available for interview), the manager himself, with the help of one of his staff, had to carry out a few little carpentry jobs (quite unofficially) to ensure that the public did in fact get the advantages promised by the notice at the due time.

A good deal of staff training was necessary to provide for interchange between the staff of both Departments and to provide reserves in case of any emergency on either side, but where the volume of some types of work was small, it was not easy to gain concentrated experience and so provide interchangeability or reserves. Many aspects of the work of the two Departments were so dissimilar that they were clearly unsuitable for merger. Even so, it was possible in some offices to combine dissimilar part-time jobs, say one on the Ministry of Pensions and National Insurance side and another on the Ministry of Labour and National Service side, under the same officer, and hence to achieve some marginal saving in staff time. The extent to which

this could be done varied considerably, according to the size of the office, the volume of various items of work, the suitability of the premises and the aptitudes of the individual members of the staff. In many cases where theoretically it was possible to combine marginal jobs, local difficulties prevented it. Some offices, for example, were not able to run a common counter to which the public could come to make enquiries for all purposes, simply because the premises were unsuitable. In the larger offices, where, because of volume, jobs had been done on a specialist basis, or, on the Ministry of Labour and National Service side, where women callers had always been dealt with by women, there was some difficulty in combining jobs, but this was not a major difficulty in the smaller offices where specialisation had never been possible. Where a large enough block of work existed it was possible to retain specialisation or even to extend it and provide reserves to deal adequately with special peaks of work, such as seasonal rises in unemployment and sickness, even where, as occasionally happened, peaks of unemployment and sickness coincided.

A great many instructions had to be issued but, in general, the temptation to instruct in great detail was avoided. The problems were new and varied in each locality, and a great deal of latitude had to be given to the manager on the spot. His responsibilities were considerably greater than hitherto, and in the smaller offices, where he had fewer executive staff to support him, he had to acquire a much wider technical knowledge so as to deal with cases which could not be delegated to subordinate staff. In the larger offices, problems of general management were, by comparison, greater, but some relief could be provided by delegating much of the case work and internal checks.

Difficulties

One obstacle to integration in the larger offices was the difference in the methods of paying sickness and unemployment benefit. The normal method is to pay sickness benefit by postal draft, whereas a claimant for unemployment benefit must normally present himself at the local office to prove unemployment and to receive his payment in cash. In the one case, payment of benefit is made on different days in the week; in the other, the payment of unemployment benefit is confined mainly to a Friday. In the smaller offices the different method of paying the two types of benefit was no obstacle to general integration. There was a clear indication, however, that the rating and computation of sickness and unemployment benefit could not have been universally merged.

Apart from these considerations, the main difficulty was that some of the older members of the staff, accustomed for a long time to routine procedures, did not find learning new work an easy task.

Another factor restricting interchange of staff was the Ministry of Labour and National Service practice in larger offices whereby a Disablement Resettlement Officer or a Vacancy Officer deals only with claimants of his or her own sex. On the Ministry of Pensions and National Insurance side, except in certain cases, the public are dealt with irrespective of sex, but in the larger Employment Exchanges it is usual to have women officers dealing

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with women unemployed, and a woman supervisor who controls what is known as the "Women's Section" and interviews disabled women.

Staffing

The proper staffing of the Joint Offices during the experiment was the responsibility of the Agent Department. As might have been expected, there were differences between one Department and the other in the method by which the complement of an office was assessed. In general, however, both Departments found it possible to achieve only small reductions in staff numbers. They were made possible to a greater extent by the elimination of marginal overstaffing at small offices and by modifications of each Department's arrangements for the provision for staff absences, than by time saved through the merger of common services and integration of work. The money savings so effected were, however, largely offset by the upgrading of certain of the Joint Office Manager posts—a course which was made necessary as a recognition of the heavier responsibilities falling to these posts.

National Assistance Work

So far, little has been said about the inclusion of National Assistance work in the experiment. This was added in September, 1953, when it could reasonably be expected that most of the other merger problems were well in hand. A National Assistance Board visiting officer (Executive rank) was stationed at 14 Joint Local Offices together with either one or two Clerical Officers transferred, like the Executive Officer, from the Local Area Office. The Joint Local Office then took responsibility for the routine clerical work in connection with claims for assistance or non-contributory old age pension. All finance work involved, including the making of cash payments and the issue of postal drafts and order books, was carried out there in conjunction with other comparable work of the Joint Local Office. All records appropriate to the locality were kept at the Joint Local Office, the staff of which also received callers for assistance and dealt with them as far as possible, in the absence on visiting duties of the Board's officers. The Board's Executive Officer continued to be responsible to his Area Officer for casework. The Area Officer generally visited the Joint Local Office once a week to examine case work and deal with local problems. The manager was not expected to make himself conversant with casework, but certain checks were nevertheless laid down, mainly on the finance side, which he had to carry out.

The experiment was deliberately limited so far as National Assistance work was concerned, and the main emphasis of the merger was on finance and ancillary work, although use was made wherever practicable of any spare time of the Executive Officer or Clerical Officer to assist with other aspects of the Joint Local Office work and more particularly to undertake home visits for the Ministry of Pensions and National Insurance.

Advantages and Disadvantages

To sum up then, the advantages revealed by the experiment were that staff could to some extent be interchanged, provided they were of the necessary calibre, and the demands of work on both sides at time of pressure could

therefore be met more easily than before. From the public's point of view there was sometimes greater convenience in being able to come to one public counter for a variety of enquiries. It was easier, too, for the staff to have related records in each Department readily available when claims for benefit were being considered. Some employers no doubt found it an advantage to be able to approach one manager on Ministry of Pensions and National Insurance and on Ministry of Labour and National Service matters. The amalgamation of work did, as a rule, save space and, had the experiment been continued, a number of rooms might have been available for other use in most joint offices. By combining, for example, sick visits and N.A.B. household visits, time was saved and the manager was able to avoid sending two officers over the same ground. From the staffing point of view, the main advantage was in being able to amalgamate part-time jobs and thereby save a small margin of staff.

There were, however, pitfalls. These arose largely from dual control, involving two Regional Offices and two Regional Finance Offices, and the inconvenience of separate inspections and audit, separate technical instructions and a different series of forms for each. There was in some places the inevitable conflict of departmental loyalties. An officer from one Department, firmly convinced that another from a different Department could not hope to master the technicalities of his own work, was occasionally reluctant to yield up responsibility for work which he regarded as his own proper preserve, while staff of all grades (particularly in the older age groups) had difficulty in learning, remembering and applying so many different procedures. Some staff were apprehensive about where the experiment was leading and feared the outcome was likely to cause redundancy and fewer opportunities for promotion.

One disadvantage of the experiment was that the increased responsibilities, placed on both staff and management, seemed to indicate that managers might have had to be specially selected if the experiment had been extended. So far as the staff in post during the experiment were concerned, some considered that they were put to undue pressure and strain. The managers undoubtedly carried heavier responsibilities and sometimes complained that insufficient staff had been provided during the necessary training period. In some offices there were also objections to the casework of the National Assistance Board being outside the manager's control. The manager there took no part in planning visiting programmes and felt unable to gauge the extent to which, if at all, the Board's staff had any time which could be used in other sections of the Joint Local Office or on Ministry of Pensions and National Insurance visiting. The provision of clerical assistance for the Executive Officer was also thought to be more expensive in staff time than if it were run in with similar bulk work in the Area Office.

The advantages of the National Assistance Board side of the experiment were, however, easier access to records for all Departments concerned; opportunities for consultation on particular cases; and, where necessary, easier recovery of advances of assistance from other benefits. In some places the public seemed to prefer coming to a joint office to apply for assistance, since the nature of their business was not then so apparent. Unemployed persons signing the register could also get assistance, where needed,

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immediately; in one or two offices, where the Board's officers were more readily available than previously, the number of callers increased.

Conclusion

If we look back, then, over the course of the experiment, it is understandable that it was brought to an end. The public in general consider it desirable that they should have one centre, if not a local Whitehall, where they can get advice on any of the problems with which the various Departments deal, but the main objections to continuing the experiment were administrative. The conclusions were these:

"The conclusion reached is that there has been no significant improvement in service or in convenience to the public and that the small savings in staff have been offset by additional costs in other respects and by the creation of new administrative problems. It seems that it has proved far from easy in practice to run an office with staff from two Departments, but some useful lessons have been learned in the sharing of accommodation and in the running of local offices.

The offices concerned in the experiment will revert to their former separate status as soon as possible.

Five subsidiary conclusions have been reached as a result of the experiment, viz. :

(a) When new offices are being erected for the Departments concerned in the experiment, an attempt should be made to accommodate the separate Departments in the same building, or at least in buildings near one another.

(b) Departments should develop closer co-operation in management of their local office systems (at Headquarters, Regional, and Local Office level) regarding, for example, common services and mutual assistance at times of pressure.

(c) The Organisation and Methods Officers of the Departments should consider whether any further standardisation of forms and procedure was desirable.

(d) An experiment whereby separate Departments would be accommodated in one building with a common counter should be tried out. Five such buildings were planned, and it was hoped that work on the first would commence shortly. This was to be an experiment which would be reviewed in the same way as the Joint Local Office Experiment.

(e) Departments are to review the need for their smaller local offices."

Had the joint local offices continued, it is clear that they would not have done so on the basis of dual Departmental control. As the final announcement said, a good many lessons had been learnt and it was essential to continue in the future the mutual help afforded by the experiment. The casual observer might well have expected that such an experiment would result in substantial savings in staff. In fact, only about one person per office or about 4 per cent. of the total staff in post were saved, and it is doubtful whether even this saving was permanent or entirely due to the experiment. Had a

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system of joint local offices been established permanently, a considerable amount of re-housing would have been necessary. Many of the premises used by the Civil Service are in any case quite unsuitable for a successful merger. The offices which took part were specially selected, because joint premises were already shared, and the experiment was not tried in offices with more staff than fifty or so. This seemed to be getting near the limit of usefulness. For larger offices, specialisation would, no doubt, become more and more necessary and amalgamation increasingly difficult both from a premises and an administrative point of view.

Whether the experiment was worth while or not, at least we can confidently assert that the civil servants who participated in it gave of their best and worked together in circumstances which were not always easy. From their point of view, it was just another job, undertaken with zeal and good spirit. The experiment took place when the Government had announced their intention of economising wherever possible in public expenditure. Certainly the popular press had campaigned loud and long for cuts in the size of the Civil Service. But it is well to remember, as the Director of the Royal Institute of Public Administration pointed out in two recent articles in *The Times* ("How Many Civil Servants?" by Raymond Nottage, 11th and 12th October, 1954, reprinted 2d.), that substantial savings in the staff of the Civil Service, in these days when such heavy responsibility falls on them, are highly unlikely. In the circumstances, it was perhaps a wise decision to discontinue the experiment.

THE JOINT LOCAL OFFICE EXPERIMENT

Offices taking part in the Experiment

Region	Joint Local Offices		Staff involved††
	M.P.N.I.	M.L.N.S.	
Northern ..	Birtley West Moor *East Boldon *Lanchester †*Seaton Delaval	Aspatria *Easingwold †Willington Quay *Windermere	19 19 13 12 21 7 9 14 9
Eastern ..	†Clacton *Harlow *Leighton Buzzard †*Rayleigh *Sudbury	*Haverhill *Rickmansworth †*Swaffham	24 14 14 27 17 8 11 8
London (Outer)	Barking *Bexhill †*Caterham Epsom	Canning Town Orpington †Richmond	52 18 22 42·5 47 30 40
South-Western ..	*Marlborough *Warminster	†*Cirencester *Frome †*Lydney *Street	11 11·6 16 12 11·5 9
Wales ..	†*Bangor *Newtown †*Porthcawl Resolven Senghenydd	*Blaenavon *Llangefni Morriston †*Penarth *Pontardawe Pontnewydd	20 18 15 14 14 11 13 24 14 12 11
Scotland ..	†Bonnybridge Kilbirnie *Montrose West Calder	Blairgowrie †*Buckie *Grangemouth Huntry *Largs	14 18 13 11 9 25 14 13 9

*Offices undertaking work for the Ministry of Food.

†Offices undertaking work for the National Assistance Board.

††Decimals refer to part-time staff.

Haldane Essay Competition, 1954

Report of the Judges

The twenty-three essays submitted for this competition presented a gratifying variety of topic. Seven dealt with some aspect of the Constitution or the Central Government, six with Local Government (including Education), and six with some special subject outside these categories. Only two dealt with problems arising beyond the shores of Great Britain. The methods of treatment and the styles were equally varied. This did not make our task any the easier.

In reaching our decisions we have had regard to the main aim of the competition—to elicit significant and original contributions to the study of the history and practice of public administration. The essay should shed light on, and if possible make a constructive contribution to, the problem (e.g., by analysing it in a new way, making novel and thoughtful comment, etc.). It is also clear that the essay should be of sound structure and coherence and should be well written.

Our recommendations are as follows :

We recommend the award of the Haldane Silver Medal and £50 prize to Dr. Hugh Ll. Keenleyside for his *Administrative Problems of the United Nations Technical Assistance Administration*. It seems to us to fulfil the requirements of a successful Haldane Essay. The subject is of the widest interest, concerning as it does the new international civil service which is developing under United Nations influences. It sheds light on the difficulties encountered in evolving a new international code of practice and administrative convention under which civil servants drawn from many different backgrounds can serve and co-operate with success and understanding. The author handles his subject with a broad sweep, yet supplies an adequate amount of detail.

Patent and Patronage in the Civil Service by R. Jarvis. To this essay we recommend an award of £25. It has merits of an entirely different kind from those of the winning essay. Mr. Jarvis has given us perhaps as good an example as one is likely to find of thorough and scholarly research on the historical side of his subject. In its very different field and manner it ranks with Dr. Keenleyside's essay; but necessarily it makes its contribution to a much smaller class of readers.

There were four other essays which, while not approaching the standard of the two previous, nevertheless had sufficient merit to make us feel that they should receive some award.

The Status of the Financial Secretary in Recent Times by K. E. Couzens.

Administrative Problems of the Disabled Persons Act by G. R. Davy.

Promotion in the British Civil Service by E. N. Gladden.

Government and the Arts by W. J. Hunt.

We recommend the award of £10 to each of the first two essays and of £5 to each of the second two.

R. W. BELL
D. N. CHESTER

Local Government in Parliament

By BRYAN KEITH-LUCAS

In this note the Senior Lecturer in Local Government in the University of Oxford throws further light on Local Government in Parliament.

IN recent articles in PUBLIC ADMINISTRATION, Professor W. J. M. Mackenzie (Winter, 1951, and Winter, 1954) and Mr. David Butler (Spring, 1953) have presented a most interesting analysis of the number of Members of Parliament who have at one time or another served in Local Government. Many of these are in fact no longer members of Local Authorities ; often, no doubt, because of the difficulty of finding time for both Parliament and the local council. So, while these figures show the importance of local government as a recruiting ground for Parliament, they do not reflect very accurately the present influence of the Local Authorities in Parliament. Moreover, the figures are concerned only with the House of Commons, but there is also a strong link between the House of Lords and some Local Authorities—particularly the County Councils.

The views of local authorities find expression in Parliament in two principal ways : through the Associations of Local Authorities ; and through members of local councils who are also in one of the Houses of Parliament.

Associations of Local Authorities

The Associations of Local Authorities exist primarily to give expression to the collective views and opinions of their respective groups of Local Authorities. This is done in several ways, including direct discussions with the Ministries, and speeches in Parliament by Members of both Houses who are willing to support the views of the Associations. Most of the Associations appoint a number of Peers and M.P.s as Vice-Presidents. With these men the secretaries of the Associations communicate when any matter is likely to arise in Parliament in which the Associations are interested. If they agree with these views, the Vice-Presidents may then be provided with facts and figures to help them state their case.

The number of such Vice-Presidents (including Presidents) is as follows :

		Members of House of Lords	Members of House of Commons
Association of Municipal Corporations (a)	...	8	11
Rural District Councils Association (b)	6	19	
Urban District Councils Association (c)	2	16	
National Association of Parish Councils (d)	1	2	
County Councils Association (Members of Executive Council) (e)	8	6+1 (President)	

(a) *Municipal Review.*

(b) *Rural Districts Review.*

(c) Figures from the Secretary of the Urban District Councils Association.

(d) Programme for Jubilee Conference of Parish Councils, 1954.

(e) *Year Book of the County Councils Association* and information from the Secretary of the County Councils Association.

The constitution of the County Councils Association is somewhat different from the others ; apart from its President (Mr. Chuter Ede), none of its Vice-Presidents is in Parliament, but each county council appoints four representatives on the Executive Council of the Association, and among these are eight Peers and six M.P.s. They thereby become eligible for the standing committees of the Association, and all of them sit on the Parliamentary and General Purposes Committee.¹ Most of the other standing committees contain one or two Members of one or other House of Parliament, and in this way they are brought more into the internal discussions than are the Vice-Presidents of the other Associations.

Apart from this extensive use of M.P.s on the committees, the Association frequently writes to the clerks of the County Councils, asking them to communicate with Members of Parliament : either those who are members of their Councils, or those who represent the county constituencies. This practice is also sometimes followed by the Association of Municipal Corporations.

Peers and M.P.s on Local Councils

Lastly, there is the influence of local government through the Peers and M.P.s who are themselves members of Local Authorities. These may be either men or women who have won distinction in local affairs, and have on that account been chosen as candidates in their own constituencies, or Peers or M.P.s who happen to sit on a local council, not necessarily in the constituency which they represent.

Since the creation of County Councils there has always been a considerable number of Peers among their Councillors, and even more among their Aldermen. From the lists published in the *Year Book of the County Councils Association* it appears that the figures have been as follows (this does not include the London County Council, which does not belong to the Association) :

<i>Date</i>	<i>Members of House of Lords</i>	<i>Members of House of Commons</i>
1889	...	131
1920	...	93
1930	...	71
1940	...	70
1950	...	54
1954	...	46
		87
		55
		43
		35
		20
		17

Sources : *Year Books of the County Councils Association* (figures for 1889 from the *County Councils Directory*).

The reduction in the number of M.P.s on the County Councils is probably due in part to the fact that it used to be a common practice for the councils to choose one or more of the County Members to serve as Aldermen, even though they had never been Councillors. This is rare today, and Aldermen are generally chosen only from among the existing Councillors. The reduction is probably also partly due to the increasing pressure on the time of Members of Parliament, and to the fact that fewer of the County Members today are landowners, or even residents, within the counties which

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they represent. The reduction in the number of Peers is due probably in part to general political changes, and in part to the increased tendency to choose aldermen from inside the councils. Of the Peers and M.P.s who sat on County Councils in 1889 a very high proportion were Aldermen. Their selection was a continuation of the aristocratic tradition of the Quarter Sessions from which the County Councils took over their administrative functions. It is also noticeable that of the Peers who sit on County Councils only a small proportion play any major part in the House of Lords.

The London County Council has since its creation been a cradle for Members of Parliament: Will Crooks, John Burns, Sidney Webb, George Lansbury, Herbert Morrison, Susan Lawrence, Lord Percy of Newcastle, Lord Silkin and many others served there before they entered Parliament. It has also contained a number of Members of the House of Lords; Lord Rosebery was its first Chairman. The figures for the L.C.C. are as follows:

Date	Members of House of Lords	Members of House of Commons
1889	5	9
1900	10	13
1920	2	4
1939	3	9
1954	1	6

Source: *Whitaker's Almanack*.

The Metropolitan Boroughs have also served as the first stage in the political careers of many M.P.s. A number of those who are included in the list for the L.C.C. were, before that, on their Borough Councils, and others (including Mr. Attlee) have gone straight from their Borough Councils to Parliament. In 1939 they contained three Peers and twelve M.P.s; today they have three Peers and eight M.P.s.²

In all, the County Boroughs include twelve M.P.s, mostly in the large cities, such as Manchester (4) and Liverpool (3).² This shows but little change since 1889 when there were ten on the county borough councils (Liverpool 4, Birmingham 2).³ In Liverpool, in particular, there seems to be a strong tradition in favour of some of the Members of Parliament for the City being also on the City Council.

In the smaller Boroughs it is exceptional to find the local M.P. sitting on the Council. No doubt the explanation is partly that it is difficult for a man to give full attention to both municipal and Parliamentary affairs, and this may explain why, when M.P.s are found on the council, it is generally in the Boroughs round London (e.g., Acton, Erith, Sutton and Cheam, Tottenham, and Wimbledon). Members of the House of Lords are even more rare on Borough Councils, and when they are found, it is often by virtue of their territorial position in relation to a small municipality (as the Duke of Marlborough at Woodstock, and the Earl of Warwick at Warwick).

So far as can be readily ascertained there are no M.P.s on any Urban or Rural District Councils, and probably no Peers on the Urban District Councils, though there are a few on Rural District Councils, and probably a number on Parish Councils, but no general list is published of members of Parish Councils, so this cannot easily be confirmed.

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To add these totals together would give a false impression of the strength of the "Local Government Interest" in the two Houses. The figures quoted are not complete, partly because some of the lists used do not always include the letters "M.P." after a Member's name, and also because some Irish Peers and holders of courtesy titles may have been included by mistake. Furthermore, some names appear in more than one list: for example, one Peer (Lord Addington) is a County Alderman, a Borough Alderman, a Vice-President of the Association of Municipal Corporations, and a Vice-President of the Association of Rural District Councils.

Informal Contacts between M.P.s and Councils

The influence of local government in Parliament is, however, not confined to these two channels. Most Local Authorities, and the Borough Councils in particular, maintain a close contact with their Members, even though they neither are nor have been members of the Council. The Member often asks the Council for guidance on local opinion, and the Council seeks his support in matters of local interest—in supporting or opposing Bills, or in discussions with the Ministries. The extent of this contact is difficult to assess without much detailed investigation, as most of the correspondence is unofficial, between the Member and the Town Clerk. Very little of it is referred to in Council minutes or agenda.

In addition there is often a close link between the Member and the leading Councillors of his own party. The principal members of the local political associations commonly also play an important part in municipal politics. Thus, many of the leading supporters in the constituency, and of the people who choose the party candidate, are likely also to be councillors or aldermen.

These two aspects of the subject—the links between the Member and the Local Authority, and between the Member and a political group within the Authority—cannot be assessed statistically. Further study is needed to understand them fully.

¹*Year Book of the County Councils Association.*

²*Municipal Year Book.*

³*County Councillors' Directory and Whitaker's Almanack.*

Economists in the Public Service

By EDWIN S. NOURSE

We are very glad to publish this note by the former Chairman of the President's Council of Economic Advisers in which he deals with a misconception in Mr. R. L. Marris's review of his recent book "Economists in the Public Service" (Harcourt Brace, Allen and Unwin) on p. 303 of the Autumn, 1954, issue.

I WAS, in the nature of the case, deeply interested in the article "Economists in the Public Service," which appeared in your Autumn number. There a former member of the Central Economic Planning Staff of the Treasury put some issues dealt with in a recent book of mine in the broad context of comparative government—British and (by reference) Dutch. I trust that the "international exchange of ideas" on the subject of economic advisership in national policy-making, which he bespeaks, may be carried much farther as time goes on. It is this hope that leads me to call attention to one serious factual error which, in spite of very evident diligence in reading my long and detailed book, has crept into Mr. Marris's article. There is also one issue of interpretation that I feel moved to query.

In the second paragraph of the article it is stated: "The Council of Economic Advisers was to be responsible not just to the White House but to 'Congress and the People' as well." This is a misconception that I was at some pains to try to dispel in the book. A partial step in the direction of making the Council serve two masters was taken by way of an amendment to the House bill, but this was eliminated by the Conference group (see pp. 357-60). Senator Murray, himself, in urging the adoption of the final bill, specifically referred to this deletion as "emphasising the fact that their [the Council's] function is to assist the President in discharging his responsibilities under the Act." Senator Taft, as chairman of the Joint Economic Committee, Senator Vandenberg, and other committee chairmen accepted my interpretation on this point without demur, and Secretary Snyder, Secretary [now Senator] Anderson and other Cabinet members firmly supported my stand. The President accepted my interpretation of the Council's role as stated in my letter of acceptance and, in the last of his notes to me on this subject, observed: "Other members of the President's staff do not appear before Congressional Committees."

Had the statement quoted from Mr. Marris's second paragraph been true, the position I took throughout my tenure as chairman of the Council would have been untenable. I am sure I would not have taken such a stand nor, indeed, have accepted the office had its duties been so defined in the Act or so described by the President. The present chairman of the Council, Dr. Arthur Burns, does not appear before Congressional Committee hearings, and meets with the Joint Economic Committee only in executive session just after the Economic Report of the President has been submitted.

The question of interpretation I would raise stems from the false premise discussed above. It seems evident that Mr. Marris is of the opinion that Council members should not merely submit themselves to Congressional interrogation but should also present an independent economic document over their own signatures as part (in practice from 1949 to 1953 much the

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larger part) of the Economic Report of the President, which is called for by the Act. Of my opposition to this procedure, he says : " Nearly everybody was against Dr. Nourse over this, including informed outside opinion." It is perhaps beside the point to enquire or to surmise as to the documentation or the opinion poll on which Mr. Marrs bases this judgment. The real question is, how would he or others resolve the dilemma that such a procedure presents to the professional economist ?

(a) Should this public report of the Council limit itself to economic analysis of alternative courses and their probable results, or should it make full-blown policy recommendations ?

(b) Should the Council's report, by its specific interpretations and recommendations or by reasonable inference from its analysis, diverge, upon occasion, from the President's policy positions ? Or should the Council prepare the most plausible and persuasive brief they can for such policies as, on overall considerations of statecraft or of politics, the Executive Branch decides to espouse ?

(c) If the former of these alternatives is selected (and such a Council report actually included in the Economic Report of the President), would not the strains of open disagreement lead to the resignation, voluntarily or on request, of the erring economist and the survival only of those who were content to be " ghost writers " or economic attorneys ? Is not this the proper function of White House aides rather than a Council of Economic Advisers ? Whatever the answer to this query, it should be noted that in the first Economic Report submitted by President Eisenhower there is a return to the original practice of a single report of the President, not twin reports of President and Council.

These issues are presented in full detail in the book. I have tried to lay out the bare bones here for those who may be interested but have not the time to labour through the source material. To the author of the article for giving of his time and special experience to setting out the issues in their international context all students of public administration are deeply indebted.

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LOCAL GOVERNMENT ORGANISATION

The Rt. Hon. Duncan Sandys, M.P., Minister of Housing and Local Government, made the following statement to the House of Commons on 22nd March, 1955 :

A year ago, in the Second Reading Debate on the Luton Corporation Bill, my predecessor promised that before any further Bills for conferment of County Borough status came forward, the Government would inform the House whether or not they were in a position to introduce legislation for the reorganisation of local government in England and Wales.

Last November, I had a meeting with representatives of the Local Authority Associations at which they explained to me their widely divergent positions on the subject of local government reorganisation, as set out in their published memoranda. I told them that, in my opinion, it would not be fruitful to embark on any extensive reform, unless there existed some broad measure of agreement among the local authorities themselves. In the light of this, the representatives of the Associations said they would be sorry to see this question indefinitely shelved ; and that, if I would take the chair at further meetings, they would like to make a fresh attempt to find a basis for agreement within the framework of the existing structure. I consented to do so, on the understanding that the Government must, of course, reserve its position in regard to any conclusions they might reach.

Although I can today make only an interim statement, I am glad to tell the House that, as a result of these talks, the representatives of the Associations have now agreed upon common proposals covering a number of the main issues upon which they had previously been divided. These proposals, while not involving any change in the basic structure, contain important recommendations for the improvement of local government organisation.

The proposals also include a general recommendation that there should be some redistribution of functions between County Councils and County District Councils ; but the Associations are not as yet agreed on what changes should be proposed. In any case, since most of the services concerned are the responsibility of other Ministers, these questions will have to be discussed between the Associations and my Rt. Hon. Friends.

When these talks on functions have been held, the Government will examine the proposals as a whole and consider its attitude towards them. A further statement will then be made to the House.

Meanwhile it would not be desirable for me to go into details. However, in view of the Luton, Ilford and Poole Corporation Bills which are before the House, it is I think right to indicate that the proposals include agreed recommendations for the adoption of revised principles and new procedure for promotions to County Borough status. In these circumstances, although there is obviously no possibility of general legislation on this subject during the remainder of this Session, the three Corporations will, no doubt, consider the desirability of withdrawing their Bills for the present..

I should add that the representatives of the Associations have also asked that there should be a review of local government finance. A review of this kind by the Government is, in any case, likely to be necessary before long ; and we are examining what its scope should be.

Finally, let me say that the Government is greatly impressed by the determined efforts of the Local Authority Associations to reach agreement. They are thereby making a very real contribution towards the solution of the problem of local government reorganisation, and this will, I am sure, be warmly welcomed by the House.

RECRUITMENT OF UNIVERSITY GRADUATES IN LOCAL GOVERNMENT

In 1947 the Corporation of the City of Coventry, observing that much public money was being spent on university education without local government's reaping much reward in the way of graduate recruits, instituted a scheme of graduate recruitment to its Finance Department. Other Treasurers' Departments also started to recruit graduates and it is now a regular practice in some Local Authorities. The records of the Oxford University Appointments Committee show that 33 graduates who took their first degree at Oxford entered the Finance Departments of Local Authorities during the six years 1949-54. Seven were recruited by Coventry, five each by Cheshire and Hertfordshire, and three each by Gloucestershire and Staffordshire. In contrast only six Oxford graduates entered the Department of the County or Town Clerk. All entered as articled clerks and four of the six had read Law.* The figures for Treasurers' Departments reveal the increasing popularity of the idea, 26 of the recruits being in the last three years of the period. In 1953 and 1954, however, Clerks' Departments took no Oxford graduates, as far as is known, though several suitable young men were looking for such posts. The Oxford figures are probably more favourable than most other Universities'.

The difficulties in the way of graduates entering County and Town Clerks' Departments were pointed out in the article by Mr. B. Keith-Lucas in his article in PUBLIC ADMINISTRATION, Spring, 1953. They are briefly that practically all Clerks are solicitors, a graduate who is to get on in that branch of local government must therefore qualify, and that he can do only by being articled to a solicitor, preferably to one who is already a Clerk. By the rules of the Law Society a solicitor may give articles only to pupils articled personally to himself as Master. The problem has been therefore how to employ a graduate on the paid staff of the authority and at the same time preserve the traditional relationship of Master and pupil.

Coventry once again is first in the field and has now produced a scheme by which graduates may be paid a salary in accordance with the recommendation of the National Joint Council and at the same time obtain articles from the Clerk. This scheme is of particular interest in view of the new emphasis

*Of the 33 Oxford graduates who entered Treasurers' Departments, 12 had read History ; 8 had read P.P.E. (the Honours School of Philosophy, Politics and Economics) ; 5 Modern Languages ; and 4 Classics. Twenty-three of these were placed in the Second Class and one obtained a First.

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laid on the functions of the Town Clerk by the Treasury O & M report on Coventry last year.

The scheme provides for the articling of officers already serving the corporation as well as of graduates, in the proportion of two officers to one graduate. This year one graduate will be taken on and offered articles of clerkship after completing satisfactorily six months' probationary service. No premiums are required of articled pupils and the salary will be in accordance with the recommendations of the N.J.C., namely A.P.T. scale I, £500 x 20 = £580 p.a. On qualifying as solicitors, entrants under this scheme will be eligible for re-grading or promotion in competition with other staff.

As the scheme will confer substantial privileges on the individuals who benefit, the articled pupil is required to give an undertaking to remain in the service of the Corporation for a period of two years from the date on which he qualifies, provided the Corporation are prepared to appoint him to a vacant post of assistant solicitor in the department. To obviate also the temptation to seek to make use of the scheme simply as a way of securing a legal qualification without any benefit to the local government service, the pupil undertakes not to enter private legal practice for a period of two years and, if either of these undertakings is broken, the officer is required to repay to the Corporation in full the amount of any financial assistance given to him. If the Corporation were not in a position to offer employment as a solicitor there would of course be nothing to prevent the officer obtaining employment with any other Public Authority immediately.

SELECT COMMITTEE ON NATIONALISED INDUSTRIES

A new Select Committee was appointed by the House of Commons on 16th March, 1955, to examine the Reports and Accounts of the Nationalised Industries and to obtain further information as to current policy and practices of those industries. The Committee is not, however, to deal with :

- (a) Matters which have been decided by, or involve the responsibility of, Ministers.
- (b) Wages, conditions of employment, and other questions normally decided by collective bargaining.
- (c) Matters which are to be considered through formal machinery established by statute.
- (d) Matters of day-to-day administration.

SELECTED STUDIES PREPARED FOR THE UNITED NATIONS

The Royal Institute of Public Administration, which is the United Kingdom National Section of the International Institute of Administrative Sciences, is able to supply a number of studies produced by the International Institute for the United Nations. These studies were intended primarily for under-developed countries, but those listed below will be of interest and value to administrators in this country. They should be ordered direct from the Royal Institute of Public Administration.

Handbook of Organisation and Methods Techniques by H. O. DOVEY. Pp. 61, 4s. 9d.

This handbook provides an outline of the problems to be faced in the study of the organisation and methods of an administrative unit, and of some of the ways of approaching them. It contains an account of the practice of O. & M. work as applied in the United Kingdom Civil Service, and is written for both the practising O. & M. Officer and the recruit to O. & M. duties.

Presenting O. & M. Recommendations by K. S. JEFFERIES. Pp. 23, 4s.

A study of the problems to which the presentation of O. & M. recommendations to the executive authorities gives rise. Among the methods of presentation with which the author deals are discussions, demonstrations, charts and written reports.

Improvement of Organisation and Management in Public Administration by T. D. KINGDOM. Pp. 180, 14s. 3d.

A comparative study of ways of improving organisation and management based on information obtained from 22 national governments and four international organisations. This material is appended and the body of the book analyses it to bring out underlying principles.

Some Human Aspects of Administration by HARTVIG NISSEN. Pp. 158 13s. d.

The author presents, primarily for higher executives, a synthesis of modern ideas on personnel management in government organisations. His aim is to provide material for discussion groups of higher executives, by which they may gain a clear understanding of the importance of human factors in administration.

ROYAL INSTITUTE OF PUBLIC ADMINISTRATION
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BOOK REVIEWS

Great Cities of the World

Edited by PROFESSOR W. A. ROBSON. Allen and Unwin, 1955. Pp. 693. 63s.

Canadian Municipal Government

By KENNETH GRANT CRAWFORD. Geoffrey Cumberlege, 1954. Pp. xiv + 407. 60s.

In all the great cities of the world difficult administrative problems are arising, and these problems are in essence the same in nearly every case. The cities have outgrown the systems of government which were evolved for smaller communities ; their suburbs have spread far beyond the limits of their municipal boundaries, and central governments have been slow or reluctant to create authorities competent to rule the whole metropolitan area.

To collect and co-ordinate the facts about the government of these cities is a complicated and heavy task, which Professor Robson has performed with great skill. He has not attempted himself to write an account of the administrative forms and methods of each area, but has wisely relied instead on a series of articles written for the occasion by experts from the countries concerned. Thereby he has assembled a series of authoritative studies describing the government, politics and planning of twenty of the greatest cities of the world. This method, as he explains in his preface, has involved some difficulties of its own ; some of his contributors were reluctant to follow the pattern which he had laid down ; others failed to produce their contributions. None the less he has managed to collect a set of articles of a very high standard, and covering a wide field. In nearly every case the writers are men or women of academic distinction who have also practical experience of administration, in many cases in the cities whose government they describe. For Moscow, however, he has had to rely on two English observers, neither of whom has apparently been to Russia since the War. They give an enthusiastic account of the structure and achievements of the Soviets which govern the city, but avoid any consideration of the role of the Communist Party ; a policy which is reminiscent of Hamlet without the Prince of Denmark. Many of the other writers give a very lively

description of the political influences and events which have affected the development of their cities.

In some respects there is a remarkable similarity in many of the articles. In city after city the same problems have arisen, and the same difficulties have been encountered. With the exception of Moscow, there is no city of which it is claimed that the growth of the administrative area has kept pace with the growth of the population. In each case the governing body of the metropolis now rules only a central core, while independent authorities are responsible for an outer suburban ring, or even for enclaves within the city. Thus in New York, of the metropolitan area's fourteen millions of population, only some eight millions are actually within the city itself. The rest live in 550 surrounding cities, towns and villages. So also Copenhagen is composed of an inner core surrounded by 19 independent municipalities. Los Angeles is composed of 44 separate cities and some thirty or more unincorporated islands of territory, almost wholly surrounded by the incorporated cities. The same situation, in greater or less degree, is to be found in almost every city which is described. Moreover, it is almost invariably accompanied by a strong resistance on the part of the suburbs to incorporation in the metropolitan area, and a reluctance on the part of the central government to do anything about it.

One result of this appears to be that the planning of these cities has become difficult if not impossible. In many of the articles it is told how a comprehensive plan for the development of the city has been prepared, but delays and obstructions have prevented its being carried out.

With the single exception of Buenos Aires all the cities concerned are governed by elected councils, but there is a wide variety in the methods and franchises for these elections, and in the administrative

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organisation which serves them. Some of the constitutions, like that of Montreal, are of remarkable complication, and few of them are simple. Some observe the principle of the separation of powers, others ignore it; some give real power to the elected councillors, others subordinate them to some degree to the permanent officials.

It would be vain to read this book in the hope of learning how a city should be governed. At the most one might learn a number of mistakes which should be avoided. But it is a most valuable comparative study; the more so because Professor Robson (in addition to his chapter on the government of London) has studied his material with great care, and written an admirable introduction, in which he compares the experience and methods of the twenty cities which his colleagues describe in detail. As the book contains 693 pages some such guide and summary is most welcome.

In *Canadian Municipal Government*, Professor K. G. Crawford considers many of the same administrative questions, but here the emphasis is on the general pattern of Canadian Local Government, rather than on the problems of the great cities.

His task is made the more difficult by the wide variety of local authorities in the country; each of the provinces is solely responsible for its own municipal institutions, and each of them allows a consider-

able variation within its boundaries moreover there are (or were in 1949) 4,099 incorporated municipalities in Canada, and a total of nearly 25,000 local authorities of various sorts.

In this tangle of administrative forms and methods Professor Crawford acts as an experienced and learned guide. In following his path the English reader is constantly struck by the extent to which English institutions of the eighteenth century were imported into Canada and still survive, though often in altered form; here are Quarter Sessions, Reeves, Selectmen, Sheriffs, and others whose names recall the rural England of two centuries ago.

As a statement of the law and procedure of Local Government in the Dominion this book is admirable. To the outsider it lacks but one quality; it describes the law, but does not say enough of the men who administer the law; it tells him too little of how the institutions work in practice. Comparative tables and statistics are abundant, but the descriptions of municipalities at work are too few and too short.

Both Professor Crawford and Professor Robson have made valuable contributions to the study of local institutions. It is a subject on which the available literature is sparse, and these two volumes are very welcome.

B. KEITH-LUCAS.

The Prefects and Provincial France

By BRIAN CHAPMAN. Allen and Unwin, 1955. Pp. 246. 18s.

THIS book follows hard on the author's very successful *Introduction to French Local Government* and it is, of course, complementary to it. There can be no discussion of French local government without mention of the Prefect and no discussion of the *corps préfectoral* without reference to his powers over local authorities. Much factual discussion on matters such as the *tutelle*, "police" powers and the Prefect's role as executive to the *conseil général* is necessarily common to both books. But there is much to be gained by looking at these powers within the somewhat different context of the Prefect's general position. A proper appreciation of the manner in which these powers have to be exercised can often only come with an understanding

of the Prefect's peculiar position. His is both a political and an administrative appointment. And it is the blending of politics and administration within the *corps préfectoral* which permits and explains the subtle combination of local flexibility and central direction. There is, therefore, not just an overlap: there is also added illumination.

But this is incidental to the main purpose of the book which is to portray the sort of men who make up the *corps préfectoral* and what is expected of them. We are shown the work of the *chef du cabinet*; then the work of the Sub-Prefect when posted out to an *arrondissement* or as Secretary-General inside the *Préfecture* or to special police duties; and finally, there

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is a description of the manifold and exacting duties of the Prefect himself. This is taken to be the main purpose of the book because, for the most part, it is descriptive and often anecdotal. Numerous illustrations are given of the sort of problems with which a member of the *corps préfectoral* has to deal. The sort of people he has to meet and mix with, the discretion he has to exercise, the moments that call for firmness, the political hazards of his office and the problems of self-advancement; all these are touched upon in some detail. We are told, in connection with the last of these points, that: "It is fatal for a Prefect to be murdered by his mistress, as was an unfortunate Prefect of Marseilles" (p. 224). It is indeed.

Furthermore, in describing the work of the *corps préfectoral*, Mr. Chapman has also analysed and considered some of the problems. There is, for instance, the question of how to maintain, in times of increased governmental activity and administrative specialisation, the traditional role of the Prefect as the sole representative of the State in the *Département* and the administrative head to whom all other State officials are subordinate. There is also the very important question of the Prefect's status. He holds an administrative post and yet it is in the final analysis a political appointment, for he exercises his authority not as an anonymous bureaucrat administering the law but as a representative of the Government working to political purposes and subject to public criticism. This being so, how far can the tendency go, which makes them career administrators, regularly recruited, trained and promoted? Bound up with this last point is the role of the Prefect in the general administration of the country and indeed the country's politics. To what degree does the office have to blend administration and politics? This is a recurrent question running throughout the whole book.

Informative, descriptive and analytical, the book is well balanced and covers a lot of ground in a short space. Sometimes, however, Mr. Chapman is describing the ideal and not the reality, and this has, here and there, impaired the value of his analysis. His picture of the Prefect, for instance, reveals the indefatigable and able administrator who "must maintain his personal superiority over other administrators in the Department by being a first-

class administrator in his own right." At the same time: "To deal with local authorities and local interests, the Prefect has to exercise political and diplomatic arts." His presence is required on many a public occasion and he "must be a competent public speaker, able to state his thought clearly when he wishes to and to appear to state it clearly on other occasions." He has to know his *Département* and all that goes on in it so that he may keep his Government informed. He has to attend meetings of the *conseil général*, sometimes "for months on end." According to Mr. Chapman, he must in a period of *immobilisme* when the Government is prevented from having a policy, "substitute his own." Finally, as we have seen, he must beware of mistresses. The picture is patently overdrawn. It is the work of the corps itself that Mr. Chapman is describing, not that of the Prefect. It is within the corps that this blend of administrative and political talent is achieved, not within the single man. And this transposition affects some of Mr. Chapman's analysis for, though he may describe the work of the *chef du cabinet*, of the Sub-Prefect and of the Prefect separately, he shows a strong tendency to think of the *corps préfectoral* as a single body when analysing the problems of recruitment, promotion and general status. It is not very profitable to consider for the corps as a whole whether the administrative element is becoming more important than the political or what are the likely effects of promoting the present generation of in-bred Sub-Prefects. For there has had to be some division of labour and in many respects this division comes between the Sub-Prefect and the Prefect. The Sub-Prefect, both inside and outside of the *Préfecture*, has a vast amount of administrative work. His career as a Sub-Prefect is marked by security of tenure and regular promotion. On the other hand the Prefect is not infrequently an outsider brought in; his appointment is discussed in a meeting of the Cabinet; and his usefulness is judged in political rather than in administrative terms. This is not to say there is no promotion from the one to the other as the necessary qualities are revealed: it only means that the step is a large one. What position the recently-appointed IGAME or "super-Prefects" will come to occupy within the Corps remains unknown. The present Prime Minister,

M. Faure, has recently consulted them on the question of tax reform. It is possible that they are assuming more and more the political role of the old Prefect.

This criticism is a relatively minor one. The English reader has been given a lively

and informative commentary on an institution that ranks, with the *Conseil d'Etat*, as one of the most successful of French political developments.

K. PANTER-BRICK.

The Foreign Office

By LORD STRANG. Allen and Unwin, 1955. Pp. 226. 15s.

THE contribution to the *New Whitehall Series* by Lord Strang, written, as it is, with the assistance of other past and present members of the Service, is very much an inside job taking its form from an attempt to answer two questions which the outsider may ask: first, whether the Foreign Office performs economically and efficiently a task appropriate to the money it costs the taxpayer; and second, whether it provides a useful and rewarding career for young men (the author is careful to add young women, but as he points out that of the eighteen women who have been admitted to Branch A, seven have resigned on marriage, he is well aware that the necessary wastage still makes this primarily a masculine vocation). On the first point, the particular concern seems to be to persuade the reader that it is a delusion to think that the modern development in communications has rendered the work of our diplomatic representatives abroad largely otiose. On the contrary, since this improvement in communications has gone alongside an ever-increasing amount of work which cannot be performed by any methods other than those of negotiation; the argument is rather the other way round, and even so the burden upon foreign missions is much less than it is upon the Foreign Secretary and his immediate advisers at home. The greatest problem, Lord Strang argues—and there will be few to disagree with him—is in fact the accumulation of decisions which a modern Foreign Secretary is required to make and the difficulty of seeing how any internal reorganisation could appreciably lighten this load.

On the Foreign Service as a career, Lord Strang rightly emphasises the fact that it is too early still to be certain of the full effects of the reforms carried out consequent upon the White Paper of January, 1943 (Cmd. 6420), which is usefully printed as an appendix. He is inclined to think that all the changes

made are for the best. A university teacher may not be altogether happy about Lord Strang's assumption that the present method of selection for Branch A, which is a development of the so-called "country house idea," meets all the proper criteria. According to Lord Strang himself, it is now designed primarily to test qualities of character rather than pure intellectual ability, "evidence of which now depends largely on a candidate's possession of at least a Second Class Honours Degree." One wonders if Lord Strang's confidence would be shaken if he were to sit on a university board of examiners awarding Second Class Degrees. Nor, in these days of scholarships, some of them offered by foreign governments and so on, is it clear why competence in foreign languages at the entrance level should be considered a likely acquirement only on the part of the children of the rich. Would not greater emphasis on languages do something to correct their increasing neglect by students who are not specialising in modern languages with a view to teaching them, and would not this be a nationally desirable thing? The author takes for granted something which is not self-evident to the layman, namely that long residence in a particular country is undesirable for a diplomat. At the same time, he points out that as far as Asian countries are concerned, the Service is still living to some extent on the *expertise* of those recruited and trained under the earlier system. If foreign affairs are becoming increasingly complicated, it is arguable that more time must be spent before a diplomat acquires the capacity to report to the best advantage upon the circumstances of the country to which he is accredited. In this connection, there are two notable omissions. Lord Strang hardly mentions the Foreign Office Research Department—a fact significant in itself—and he nowhere comments on the much greater use which the State

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Department, for instance, makes of non-official experts from the academic and other non-Service worlds. Some attempt to use such people in an advisory capacity was certainly being considered when the late Mr. Ernest Bevin was Foreign Secretary and it is curious to find no mention of it. Nor conversely does he consider whether the Foreign Office might not do more for public enlightenment at home—again, an important feature of the State Department's activities.

The very idea of the long-term study of foreign countries as a part of the Foreign Office's duties is omitted from this survey and again, the State Department's admittedly inconclusive experiment with the Policy Planning Staff might at least have been touched upon, if only to draw the lessons of its decline. One also feels that the author is a little out of touch with current discussion of the problems of diplomacy when he suggests that the public cry is for more "open diplomacy."

This may have been true a decade or two ago; but the "old diplomacy" is highly respectable again today.

Nevertheless, within the limits which Lord Strang has set himself, this is an extremely useful and illuminating book written with understanding and even humour. Two minor points deserve attention. The Sudan is not about the same size as the Indian sub-continent, but only just over half its size; and the real purpose of N.A.T.O. is surely not to diminish the risk of war *between* the component parts. Certainly up to the time when the admission of Germany was proposed, the idea of war between the member-nations was regarded as unthinkable.

In conclusion, one is sorry to see the use of the ugly word "diplomatist" instead of the nearer "diplomat." I hope that the democratisation of the Service is not described in Whitehall as getting rid of the "aristocrats."

MAX BELOFF.

The Public Corporation: A Comparative Symposium

Edited by W. FRIEDMANN. Stevens, 1954. Pp. vii + 612. £3 10s.

UNTIL recently the comparative study of public enterprise has made little headway. The field is so vast, the various national approaches to its problems so different, and the information, for all except a handful of the most advanced countries, so scanty, that the individual student is understandably reluctant to grasp this particular nettle. For the present, it would seem, the best way forward is via the Conference and the Symposium. In March, 1954, the United Nations took a valuable initiative by calling together the Rangoon Seminar on the Organisation and Administration of Public Enterprises in the Industrial Field, certain basic documents of which have now been published, together with the most comprehensive international bibliography yet to appear (U.N. Publication, Sales No. 1954, II.H.1). Almost simultaneously, Professor Friedmann has produced this symposium, which analyses and comments on the experiences of fourteen countries, deliberately chosen for wide divergences in "their social philosophy, their tradition, background and legal systems."

This is a bold undertaking, and might have been more successful, perhaps, if

the net had been cast a little less wide, for there always comes a point where divergences are so great that fruitful comparison becomes virtually impossible. Although there is a certain piquancy, there is little real point in saying that the public corporations of both the United States and the Soviet Union enjoy very limited autonomy and are continuously subject to political pressures. Comparison on that level, as Professor Friedmann recognises, is entirely superficial; but the effort to deepen it will not get very far unless simultaneously one broadens it into a comparison of two utterly different civilisations: an exercise in which the term "comparative" rather changes its meaning. Nevertheless, I should have been sorry to miss Professor Hazard's contribution on the Russian State Trust, which, like the rest of his voluminous writings on the Soviet Union, is a model of lucidity and objectivity.

I also doubt if Professor Friedmann was really wise in attempting to include the social service type of public corporation as well as the industrial and commercial type. It takes very much of a back seat in this symposium, not even being men-

tioned by some of the national contributors, and tends further to complicate the already difficult comparative task which the Editor undertakes in the final chapter. The International Public Corporation, on which Mr. Clive Parry contributes an interesting article, should definitely have been reserved for separate treatment. Professor Friedmann's relegation of it, in his summing up, to a brief and vague addendum, *after* the statement of general conclusions, is sufficient evidence of the difficulty, on the basis of our present experience, of trying to incorporate it in a comparative survey.

Definition of the public corporation also creates trouble. "For the purpose of the inquiry," writes the Editor, "the Public Corporation was broadly defined as an institution operating a service of an economic or social character, on behalf of the government, but as an independent legal entity; largely autonomous in its management, though responsible to the public, through government and parliament, and subject to some direction by the government: equipped on the other hand with independent and separate funds of its own, and the legal and commercial attributes of a commercial enterprise." This definition, which largely derives from the British conception of the Public Corporation, evidently gave some of the foreign contributors a pretty hard nut to crack, and consequently their articles vary so widely in scope and approach that one

begins to wonder whether anything truly comparative is going to be achieved, until one reaches, with great relief, Professor Friedmann's most capable and judicious synthesis. It is a pity, however, that some countries, such as Italy, are represented by authors whose approach to the subject does not rise far above the narrowly legalistic. If one is thinking, as Professor Friedmann is, of law "in the broad sense as a method of social control," the continental professor of public law is not likely to make an ideal contributor. The difficulty, of course, is of finding someone who combines legal knowledge with a "political science" approach.

When all criticisms have been made, however, one must recognise this book as a most valuable pioneer effort. Students of public administration have been provided by Professor Friedmann with a long overdue work of reference, and with an essay which will stimulate further enquiry. Particularly valuable are Professor Friedmann's remarks concerning "the position of the public corporation between private and public law," and concerning comparative study of public enterprise as "a valuable corrective . . . to an exaggerated phobia about management by bureaucracy." His conclusions, while not highly original, raise a number of important issues, both legal and administrative, which demand more attention than they have hitherto received.

A. H. HANSON.

The Middle Class

By JOHN BONHAM. Faber, 1954. Pp. 210. 21s.

THE brilliant piece of special pleading produced by Lewis and Maude in 1949 entitled *The English Middle Class* worked on a definition of the middle class that was sometimes tautologous, sometimes ostensive. They ended by choosing the latter method and dealt with the middle class under the headings of the public servant, business men and managers, the professions, the farmer, shopkeepers and traders.

At the time this seemed reasonable within the limits those authors had set themselves. But the composition of "the middle class" and its voting behaviour is of wider political importance.

The phrase "the middle class vote" has developed into something of a bogey for the Labour machine, and the problem of defining and determining the extent and significance of this vote has become something of a nightmare for political scientists engaged on electoral research. The latter face the dual problem of trying to isolate that vote from other sectors of electoral statistics, and of finding some basis on which to estimate movements of votes between social classes and within territorial areas in face of constantly changing constituency boundaries.

After reading Mr. Bonham's book one cannot help feeling that "the middle

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class" will remain a concept as vague and fluid as "democracy." Mr. Bonham knows what is wanted, for his introduction points out that the vital questions are: What is meant politically speaking by the middle class? What is the link between party choice and social class? Does "the floating vote" consist of middle class people who sometimes vote Labour and sometimes Conservative? Yet at the end of the book one is left with the impression that only the second of these questions has been answered.

Mr. Bonham divides his work into three main parts: first, the middle class as a political idea; second, the measurement of the middle class vote; and third, the political problem of the middle class. The tools he uses are mainly analyses of the voting record of the elections of 1945, 1950 and 1951, filled out and humanised by over 5,000 interviews collected by the Gallup Poll. To this he adds extensive quotations from newspaper reports, party literature and political speeches, with eight cartoons also included for good measure.

His book begins with short chapters to show that the idea of the middle class is firmly rooted in popular speech and that it is frequently equated with the idea of a class without a "natural" political party to which to belong, with the result that it is sometimes used as a synonym for the floating vote. He rightly points out that much of our present confusion arises simply because the phrase "the middle class" is used to mean different things. Sometimes it is defined by exclusion, "non-working class"; sometimes it is by income level; sometimes by industrial or intellectual status; sometimes it is by social habit. On occasions the middle class is regarded as a distinct political idea, on others as a social idea of vague content. Mr. Bonham illustrates this point well by quoting from surveys in this country and in the United States. There are significantly different answers given to questions involving assessment of one's own "class," depending on whether the dichotomy is middle/lower class or middle/working class. As Mr. Bonham observes, "what kind of people you include in the middle class depends first of all on the context in which you use the term. If you are thinking of social esteem your point of departure is 'our class' and the results vary accord-

ingly. . . . But if you are thinking in the context of political weight and economic interest the tendency (at least in Britain today) is to think first of a 'working class'—which usually means the manual wage earners and the trade unions—and then enumerate the rest."

But Mr. Bonham himself does not entirely avoid this residual view of the middle class. He uses the Census of Population, 1951, figures to evaluate the manual working class, dividing the border line cases into manual if they wear overalls or working suits, or if they work in a "works"; or as intermediate if their work is not strictly manual although they wear uniform, or do manipulative jobs in places other than "works." The gross figure he arrives at by this process is some 68 per cent. The remainder are intermediate, upper and middle class.

The main groups into which the middle class fall closely resemble those used by Lewis and Maude: the business group, the professional group, the white collar group, and he discusses some of the special characteristics of each group. After some rather aimless analysis of what these groups consider the parties to stand for, Mr. Bonham turns to the main consideration, measuring the middle class vote. This he does by breaking down the 1951 Census into those occupations which he considers fall into the three groups of the middle class. It seems to me that at this stage the analysis is so unrefined as to vitiate the later results. His analysis is rather more sophisticated than that used by Lewis and Maude, but they were primarily concerned with the political problem of the middle class, rather than with its composition, and could consequently afford to use larger and vaguer terms. The essence of Mr. Bonham's technique is to choose certain groups of occupations which are "middle class" and then to add up the Census figures for those groups. This is to revert to an ostensive definition based on subjective criteria. Yet it is precisely at this point in the argument that we most need a clear non-tautological, non-subjective definition; unless his basis of selection is firm and coherent, the remainder of his study need have no more validity than would have any or all of the other definitions he has previously rejected.

It is the crux of the case, and we slip over it without being convinced of the wisdom or logic of his choice. The

figures he uses give him a total middle class electorate of 3,690,000 persons, 10.8 per cent. of the total. The remainder of the section is devoted to analysing the habits of voting of this group, firstly by showing the historical development of the middle class vote, and secondly by evaluating party preferences using sample enquiries in the last three elections. On these figures we arrive at an estimate that one in three of the office workers and lower professions (school teachers, etc.) vote Socialist, and eight to one of the learned professions and business groups vote Conservative. By using five constituency areas which generally speaking are specific class areas—Westendia, Suburbia, Blackcoatta, Artisania, Eastendia—he shows the familiar truth that "the political pendulum swings the same way in nearly every constituency, and virtually no seats change hands contrary to the national trend."

The book ends with a short section on the political problem of the middle class, and shows that their main problem is how

to preserve their standards when both parties accept policies whose effect is continually to raise the standards of the manual wage class.

It was sensible for someone to try to do this study, and Mr. Bonham is to be congratulated on his painstaking efforts to reduce the difficulties to manageable proportions. He and his publishers have made a valiant effort to disguise the doctoral thesis origins of the work, but he might have been advised to omit or condense some of the sections which reproduce in their stark unoriginality the verbatim replies of the Gallup Polls he uses. They rapidly become wearisome, and they are not really funny. We are indebted to him for showing that with existing techniques and sources we can go little further along this particular road. He has shown, I suspect, that the phrase "the middle class" has ceased to have any use in serious political studies, unless we can think of some new criteria.

BRIAN CHAPMAN.

Neighbourhood and Community

Edited by PROFESSOR T. S. SIMEY. University of Liverpool Press, 1954. Pp. 149. 12s. 6d.

CONSIDERING the general paucity of British sociology our town planners have not been badly served in the matter of sociological research. In the last two decades there has been a steady stream of useful research reports on social integration in housing estates, on the utilisation of amenities and on various other questions of interest to architects and town planners.

Neighbourhood and Community continues this excellent tradition. It contains two studies, one by G. Duncan Mitchell and Thomas Lupton of an estate in Liverpool, and the other by Mark W. Hodges and Cyril S. Smith of an estate in Sheffield.

The Liverpool estate was built in the second world war to house the families of workers who had been brought to the area to provide labour for war industries. It is on the outskirts of the city and is somewhat isolated. Furthermore, it was designed to last for about ten years and because of its temporary nature, and probably also because of wartime shortages, it has suffered from poor amenities and from shoddy construction. The special difficulties which this sort of environment

entailed for the residents have stimulated a vigorous residents' association. The authors draw attention to divisions on the estate which seem to be associated with differences in attitude towards this association and particularly towards the community centre which it controls. But a residents' association with a membership of 60 per cent. of the adults living on the estate and a community centre with a similar claim of over 50 per cent. call for congratulation when seen in the light of experience elsewhere. The estate has been fortunate in other ways, and those who still yearn nostalgically for the social leadership once provided by the squire and the parson may draw comfort from the description (pp. 33-36) of the leaders who emerged from this working-class environment.

The story of the Sheffield estate is melancholy by comparison. It was built in the inter-war years to house families displaced by slum clearance schemes, and its social life seems early to have been blighted by poverty and unemployment. The residents are aware that they are

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accorded low status by the rest of the City and many would move elsewhere if they were able to do so. The excellent account which the authors give of this estate calls up once more the stereotype "inter-war housing estate" which still serves as a model to our architects and planners of how things ought not to be done.

Both the studies report that the residents of the estates have become differentiated in terms of the social status they assume and which they accord each other. The broad description "working class" no longer suffices. We have now to recognise the "respectable" and the "rough" categories within this class. The authors of the Liverpool study make the further suggestion (p. 44) that the assumption of superior status is a technique of social adaptation designed to preserve the prerogative of choice in social relationships.

The effect of this suggestion is to invert the more obvious approach, which is to make the desire for choice in social relationships the variable dependent upon status, whether assumed or accorded, actual or potential. This means simply that it is those who are intent upon achieving, or maintaining, superior status who will avoid social contacts which hinder or do not help them in gaining these ends.

The Liverpool point is a nice once. But is it really of importance? What we want to know is how the desire for choice in

social relationships is related to attitudes towards the general class structure and the desire for upward social mobility for oneself or, more important, for one's children.

The presentation of research findings is always a problem in this field. If the author confines himself to statistics and to sociological jargon his work will certainly not be read outside the small world of the professional sociologist. The authors of these studies need have no fear on this score. Their text is refreshingly free from jargon and the tables are concise and easily read. It is a matter of regret, however, that their material was not further illuminated by the inclusion of maps, plans and photographs. One would have welcomed also the publication of the interview schedules which were used and, generally, fuller details on the methods employed. In the absence of this information it is difficult to evaluate the findings and to compare them with the results of other studies. The work also merits a much more extensive and less timid discussion than that which appears in the conclusion.

But these are minor points. *Neighbourhood and Community* is an intelligent and useful addition to the literature in this field and it is to be hoped that it will reach a wide audience among architects and planners as well as among sociologists.

PETER COLLISON.

The Dock Worker

University Press of Liverpool, 1954. Pp. 226+51. 17s. 6d.

THE reading of this analysis of conditions of employment in the Port of Manchester recalls many old memories going back almost to Charles Booth's investigation into the trades of East London with its condemnation of casual labour as a "gigantic system of outdoor relief" and to a fuller remembrance of the work of John Burns and Ben Tillett in their endeavour to stop through Trade Unionism the wholesale inroads of outside casual labour in the docks. After brave pioneering work by means of registration in Liverpool, this work was carried forward by Ernest Bevin through the War Decasualisation Scheme and completed by the setting up of the National Dock Labour Scheme in 1947.

Everyone connected with the industry agrees that this scheme has made so

much progress that it must not be abandoned. On the employers' side it is recognised that a stable and well-paid labour force will make for better work and better relations. To the dockers the scheme has given a wage that compares favourably with that in other industries and a status that is compatible with the value of their work.

Yet everyone connected with the industry, as well as the community at large, feels that something is wrong. The scheme, with all its advantages, has not brought "that new era in the industry with which a 'new deal' might be associated." This book is a scientific study of the problem, based on an enquiry in the Port of Manchester in 1950-51 carried out by the Department of Social Science of the University of Liverpool aided by a

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grant from the Nuffield Foundation. Much that is of value to other industries can be learnt from this excellent survey even if it is from the mistakes made by so many of those involved in the troubles of the Port during these years. For that reason alone this book will repay careful study by all who are interested in public administration.

The dock industry has many and great difficulties. To anyone accustomed to factory administration it is at once apparent that there has never been that close and intimate association of employers and workers which has led to the great improvement in the actual conditions of work in factories during the last twenty years. The lack of progress in this direction seems to be due largely to the tradition of casual employment, and the absence of any direct and continuous contact between fixed groups of men and a definite employer. The industry is not one that admits of this fixed employment as at present organised. The time of arrival of ships depends on tides, weather and other circumstances, and the industry also has its peaks and slack times depending on harvests and similar circumstances. It must, therefore, have a labour force to meet the peaks if ships are to be turned round quickly, and so this force cannot always be fully employed.

On the men's side, the hard fight of the old days has given the docker his "tough independence," his "close knit loyalty," his "internal solidarity of shared hazards and shared lives," his "quixotic generosity the one to the other," and his "jealousy of his leaders' authority." With all this he still wishes to retain the freedom that casual labour allows, which may show itself in a little hop-picking in Kent or a day at the Chester Cup, yet deeper down it means the right of the individual to work very hard for exceptionally long hours on a good cargo and then to take a day or two off to recover. Unfortunately no scheme has yet been invented that will allow for this and yet abolish casual work while providing the necessary labour at the time and place required. All this combine to make the work of the Dock Labour Board an exceedingly difficult task.

A criticism may arise in the mind of the reader as to why this survey is of the Manchester Docks, a comparatively new port established in a manufacturing town

(the City of Salford) with a sense of the discipline of regular and systematic work to as great a degree as in any town in the country. Yet the troubles set out in this book did arise and students of industrial administration will not be slow to appreciate the degree of stability reached in the industries based on the close contact of factory life as opposed to those not so based.

Considerations of space will permit only of the briefest summary of a few questions that are discussed in this book, and even if answers are not always given help will be found in the search to that end. Here are some of the problems in the shortest summary possible:

1. The need of clear means of communication. "The story of the two strikes centres on the theme of bad communication between the workers, the unions, the Labour Board and the Dock Company." "When it was all over (the six weeks' strike) no one of the bodies concerned had any clear idea of what it was all about."

2. The necessity of a simple structure. "The direct relationship between employers and workers which is regarded as normal in Great Britain was replaced by a complex system, the outstanding feature of which was that many of the dock workers were completely muddled on the important question as to who or what employed them and directed their work." It is remarkable that the one man who was not blamed by the dockers was the managing director of the Ship Canal Company.

3. The difficulties of the Trade Unions in attempting to represent the men while also holding positions on the Dock Labour Board. This seems to be part of an even wider question that concerns the best method of representing Trade Unions on similar boards or on the boards of nationalised industries.

4. The position of the unofficial leaders. It is doubtful whether these leaders did more than exploit very cleverly the deeper grievances of the dockers. It may be all too easy to avoid the real issues by throwing all the blame on these men.

Finally these strikes at Manchester show so many attributes in common with the "wild-cat" strikes which prevailed during World War II in the United States

that they may show symptoms of "serious but hidden disorders" in certain sections of our industrial civilisation. If this is true then we require many more surveys

carried out at the high standard of this one. Such an honest and brave attempt to get at the truth deserves every praise.

WILFRID GARRETT.

The Elements of Transport

By LESLIE A. SCHUMER. Butterworth, 1954. Pp. xii + 196. 17s. 6d.

THIS book, whilst not popular in style, or easy reading, will nevertheless be quite indispensable for students of transport, particularly those preparing for the Graduateship Examination of the Institute of Transport. It consists, basically, of lecture notes which cover the groundwork of the subject concisely, yet with admirable thoroughness. The treatment is colourless, because Mr. Schumer has, as he explains in his preface, "attempted a description of the significant features of transport without reference to the geographical, economic, social or political conditions of any particular country." The book in fact confines itself to stating those general principles with which the student must be acquainted. One might go so far as to say that no student who remembers most of this book should fail to secure a pass mark. Equally, this book by itself will not lead the way to a first class.

Human nature being what it is, it is easier for most people to grasp a general principle by the use of an aptly chosen illustration; Mr. Schumer deliberately eschews such aids. In consequence his style is didactic and flat, and the picture presented is two-dimensional; it lacks the depth and colour which are provided by description of actual conditions, and by references to their historical origins.

But no exception can be taken to the very clear description of the techniques of various forms of transport, nor to the exposition of the theories of costs and the principles of charging. The author sets out only those principles upon which there is a wide common measure of agreement, and keeps well away from controversial ground.

It is interesting to compare a book such as this with Aworth's *Principles of Railway Economics*. Aworth's charm of style, combined with his historical knowledge and wide range of illustrations, easily persuade his reader to accept

arguments which are fundamentally unsound, considered as contributions to economic theory. Mr. Schumer cannot be read with the same pleasure and interest; but he keeps on safer ground.

The text is illustrated by a number of diagrams. These clearly explain the points at issue. In some cases, indeed, diagrams are used to convey elementary points where words would suffice, e.g., to describe the possible combinations of powered road vehicles and trailers. The impression upon the reader is that the lecturer has turned from his notes to indicate some quite elementary proposition on the blackboard, in order to make absolutely certain that it is grasped by the dullest member of his class.

The author's evident desire to maintain a strictly logical sequence of argument has led him into stating some heavy platitudes. "The daily life of people includes a period when activity ceases for sleep" (page 46) is a good example.

A further point (which is not in any way a criticism of Mr. Schumer) arises on the foreword to the book contributed by the Chairman of the Transport Regulation Board of the State of Victoria. The dictum that "the dominant economic fact of our own age is the development not of the manufacturing, but of the transport, industries" having been quoted, it is correctly attributed to Alfred Marshall, who is, however, described as "an eminent American authority." Unknown to most of us, the Father of the Cambridge School has obviously taken out his naturalisation papers!

Lastly—and this also in no way reflects upon Mr. Schumer—the purchaser has a right to expect that a book of under 200 pages costing 17s. 6d. shall be decently printed on good paper. The publishers have apparently decided that in a work of this kind the canons of good book production can be ignored with impunity.

M. R. BONAVIA.

Democratic Government in India

By N. SRINIVASAN. World Press (Calcutta), 1954. Pp. 404. 10 Rs.

PERHAPS it is only to the mind of an academic that it would occur to measure a country's political maturity by the quality of its publications on politics—and even all academics might not agree on such a test. Be that as it may, many people would readily understand that the study of politics in dependent India suffered from certain drawbacks. These stemmed from two causes. In the first place, there was the predominance of nationalist politics; too many politicians were chasing too few political goals. The consequence was a heavy bias which distorted interest and prejudiced careful and objective analysis. Attention was devoted to exploring the meagre sources of ancient Indian history for evidence of democratic institutions that would underline the country's readiness for independence; the records of British rule were examined solely to reveal the conqueror's crimes and follies; and the reports of British commissions of enquiry were neglected or abused. In the second place, there was in the atmosphere of the inter-war years a sense of transitoriness; once the British Government had made its 1917 declaration and once Gandhi had taken over the leadership of Congress, the only questions were "How?" and "How Long?"

There was therefore no inducement to conduct any careful examination of actual political institutions. A few studies did emerge—of the working of dyarchy, for example—but very few. For what did it matter?—the main thing was to support the campaign that would sweep away the despised institutions associated with British rule; the institutions did not belong to India and were unlikely to last. How far has the achievement of independence made possible an improvement in the quality of political studies?

It may not be unfair to use Professor Srinivasan's book as a test piece for this purpose. It indicates an important advance in one direction, while in another it shows how much still has to be done. The advance is to be found in the book's objectivity.

The work is divided into three parts: Historical Background; Preliminaries of the new Constitution; and the new

Constitution. The first part is impressively free from the handicaps of bias. For an Indian pen to write as it does of Ancient India is quite startling: any "account of democratic institutions in ancient and medieval India is necessarily sketchy. The materials for a full history are lacking. We do not know how they actually worked in practice or of the spirit that animated them. . . In a political sense Hindu India did not grow beyond a rudimentary stage. Its political legacy is not a democratic tradition, but rather its contrary" (pp. 6-7). It is also refreshing to obtain the admission that the Mutiny "had little to do with the new political consciousness" (p. 21). More important is the unusually frank recognition of the great value for democratic India of the instalments of self-government granted by the Acts of 1919 and 1935 which "trained a generation of parliamentarians" (p. 51). The hitherto hated Report of the Simon Commission is called a "brilliant survey"; British statesmen may have been very slow and "over-emphasised the obstacles to self-government," but "Indian political parties were impatient and perhaps underestimated the difficulties in the way of political progress" (p. 54). Even the growing communal tension of the inter-war period is at last not wholly the fault of the crafty British, but in part the consequence of "the prospect of power" (p. 53). All this is to the good and makes Professor Srinivasan's account of the history sensible. Only when dealing with Kashmir does he allow himself to become evidently partisan.

The rest of the book is useful, competent and disappointing. It first tells briefly of the events of partition, the transfer of power and the preparation of the constitution. It then reaches the main portion of the book, which is intended to be a description of the new constitution at work. The description is inadequate. It is no longer that Indian writers are not interested in their political institutions; it is evident that Professor Srinivasan is indeed both interested and proud. But habits die hard, and his account is very nearly as pedestrian as the accounts that used to be written of the institutions of

the British period. He sticks close to the text of the constitution and leaves it only for the most timid sorties into the world of political behaviour. There is, for example, a chapter on parliamentary procedure, but it consists of a recital of the rules rather than an account of the way they are used. There are chapters on the President and on the Cabinet, but in so far as they discuss the practice and not the law, it is the practice of constitutional monarchy and cabinet government in England. The portions on the Upper House describe its composition and its powers, but omit entirely any assessment of its actual role to date and the great disputes with the Lower House that have already taken place. The organisation of the political parties—even their organisation in the legislatures—is far too much like the real stuff of politics—and is firmly excluded. There

is no real account of the administration and no serious analysis of the decisions of the Courts. All this is not entirely Professor Srinivasan's fault. He is writing a textbook, and it is not the job of a textbook to carry out particular studies in depth. Nevertheless, it is important to remember that even good textbooks will be missing unless they can incorporate and embody some of the results of research. As yet, little work of this kind has been done in India, but a new interest in the practical working of institutions is becoming perceptible and will no doubt soon bear fruit. In the meantime, textbook writers must do the best they can with whatever is available—such as the instructive reports of parliamentary committees. It cannot be said that Professor Srinivasan has done even this.

W. H. MORRIS JONES.

The Load on Top Management—Can it be reduced?

By L. URWICK. Urwick Orr and Partners, 1954. Pp. 51. 2s.

LIEUT.-COLONEL URWICK tells us that "the burden of work and of responsibility falling on top management has increased, is increasing, and will continue to increase" to such an extent that already the health and the expectation of life of top business executives is lower than that of other groups in the population. He diagnoses the causes of this occupational disease, and then suggests, more impressively, courses of occupational therapy—with liberal quotations from the views and experiences of other specialists.

The diagnosis refers to external causes as well as to those well known as arising from the evolution of the business undertaking itself, such as the growth in its size and complexity and in the space-time continuum within which it has nowadays to operate. The main relevant external cause is given as a somewhat involved conflict between man as a producer—well organised both in employers' associations and in trade unions—and man, largely unorganised, as a consumer. With the modern high degree of organisation of most employers and most employees one might have thought that this is the sort of struggle between man and his conscience which man frequently wins. Colonel Urwick, however, finds two separate men in this

conflict—if not three—the employer, the employee and the consumer. The resolution of their struggle demands two things, a complete recasting of our concepts of authority which must become increasingly based on the personal relationships of leadership, and better and wider public relations directed at the general reputation of a business with the many other groups with which it comes in contact and with the public at large. Both these requirements are essential, but are time-consuming, and have added greatly to the personal load on top executives.

It is when one comes to the steps which top management can take to reduce its own load that this book is at its best. All these steps are virtually organisational measures, and the larger the undertaking the truer this is. There are still some people in large enterprises whose attitudes and habits are inimical to effective organisation, and this book is not for them. But those who can still learn will find much practical wisdom and guidance in this part. The need to recognise the necessity for *formal* organisation is its key note, and the case for it is well argued. The essential distinction between policy-making by one set of people and its execution by others is well set out, with suggestions as to how

both formation of policy and the research that lies behind this process can be catered for.

Perhaps the best sections in the book are those which discuss the merits of appointing a chief executive rather than relying on management by committee ("a committee cannot lead"), and the decentralisation and delegation of general management functions. The difficulty and the burden of co-ordinating functional specialists (particularly if they are pyramided at different levels) are well stated, as are the advantages of the better alternative of developing unitary forms of organisation wherever possible, serviced

by an advisory general staff: "The task of controlling half a dozen managers of separate quasi-independent units is infinitely less exacting than the task of managing half a dozen specialists of equal competence forming parts of a single highly centralised undertaking." One can, for example, deal with each manager individually.

The real way of course to decrease the load on top management is to find and breed up more top managers who can manage from the top. This book should help both parties to this essential remedial exercise.

E. C.

Developing Management Ability— 600 Questions and Answers

By EARL G. PLANTY and J. THOMAS FREESTON. Ronald Press, New York, 1954. 1'p. 447. \$7.00.

If the reader can accept the question-and-answer presentation of this volume, the value of the contents becomes increasingly apparent. After giving some essential definitions of training and management terms, the authors continue by answering questions dealing with the methods and purposes of management training in American industry.

Each of the 600 collected questions is answered by one or two paragraphs, but as few problems can be treated in such isolation, misleading and apparently incomplete replies are given to some of the questions. For example, one question asking how to convince a sceptical supervisor that role-playing is effective is answered on the lines that those who scoff at role-playing usually have had no experience with this method and they should learn something about it. The advantages and disadvantages are given, however, in answers to later questions. Other short answers, such as the one dealing with the number of orientation meetings needed for new employees, are so general that one feels the question was perhaps included to make up the round number of 600.

It is unfortunate, therefore, that the book was produced in this form as, apart from some degree of irritation to the reader and the isolation of individual questions, the answering paragraphs also

tend to give equal emphasis to all the subjects raised and so fail to stress the importance of answers of special significance. Complex questions are often best answered by a comprehensive chapter, suitably sub-headed and written to show clearly both advantages and difficulties.

The section of the book devoted to case studies is particularly useful, and this technique is explained clearly, although the selection of 40 as being the optimum number for a study group is certainly open to criticism. Many training officers in this country would regard this as far too large a group for discussion purposes.

Not unnaturally, some of the managerial jargon and American terminology for quite commonplace procedures are apt to be noticed by the British reader. For instance, a method of induction and initial training within an organisation is described as "buddy-orientation."

The later sections of the volume are devoted to questions on the various techniques for training and developing executive, supervisory and managerial staff, and there is a very useful description of the responsibilities and duties of a training officer, and some good questions on the mechanics of training. It would be remiss of me not to mention also the excellent bibliography and the intelligently classified index.

JOHN SARGENT.

How to Design a Procedure

Office Management Association, 1955. Pp. 37. 6s.

DESIGNING an entirely new procedure requires more imagination than redesigning an existing one: the existing procedure does indicate, however imperfectly, the needs for which it caters. The task of examining it is thus easier, both to undertake and to describe, than that of starting with a general administrative aim and building up the procedural steps to achieve it. The authors of this booklet, which aims to cater for both circumstances, have taken advantage of this fact, and the would-be investigator of an existing procedure will find much useful guidance on how to cull his information and secure the adoption of his proposals. One wishes, however, that they had catered more specifically from the start for the more difficult task of designing an entirely

new procedure rather than by shifting emphasis to it at the point (p. 13) where the shaping of the investigator's proposals is described.

Apart from this, there are only points of detail to quarrel with: Chapters 4 and 6 would be more useful if they indicated some of the more common faults in procedures instead of assuming that the investigator will have no difficulty in recognising them; and Chapter 5 seems to belong in Chapter 3 rather than where it is. Finally, one wishes that the authors had adopted for their own use (outside the admirable appendices) the advice which they give on page 21: "Specific, concrete examples are preferable to generalisations."

H. O. DOVEY.

Public Supplies

By E. J. BOSWELL KING. Allen and Unwin, 1954. Pp. 160. 15s.

The subject of this book is of interest to a large number of people engaged in the public service. It is a matter on which there has been little general literature available and it is gratifying that so experienced a practitioner as Mr. E. J. Boswell King should be the first to meet a demand for fuller information concerning a specialised, yet until recent years a somewhat neglected, aspect of public administration. So far as the local government branch of the public service is concerned, the book contains much that is of particular interest and no doubt all those who attended the Conference organised by the Royal Institute of Public Administration in April, 1954, on *Purchasing by Local Authorities* will want to read this book. The book is described by the publishers as primarily a treatise for officers engaged in public supplies and it must be judged in relation to its declared purpose. It will, however, be read by many officers, particularly local government officers, who are not directly concerned with the purchase of supplies, but who are anxious to know more about the subject and to see how far the principles of central purchasing can be applied to the circumstances of their own authorities. In the first part of the book

the author describes the principles of central purchasing and makes a good case for the function of buying being regarded as a specialised one to be carried out by those who are knowledgeable and skilled in the matter. The dangers inherent in a system of central purchasing, particularly the temptation to over-buy and over-stock, are effectively dealt with, and the point is made that errors of judgment in buying can occur just as easily on the part of the separate departmental buyer, and may in fact be multiplied if a number of different departmental stores is maintained. In the long run the justification of central purchasing is that it promotes economy and efficiency in the whole administrative organisation. Economy is brought about mainly by the price advantages obtainable, but against these price advantages there must be set off any additional on costs incurred. The precise measurement of costs, particularly those incurred in warehouse handling and production on cost, should be an important feature of a central purchasing organisation and might with advantage have been more fully considered in the book, particularly in that part concerning general principles. Perhaps the most significant omission in the book is the

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failure to discuss the application of the principles of central purchasing to the small or medium sized local authorities. The general reader of the book might well imagine that only in the very biggest organisations and local authorities is it possible to have a central supplies organisation. This comment is not intended in any way to diminish the value of the excellent summaries included in the book of supplies procedure in government bodies, nationalised concerns and in certain named county councils.

The two chapters on public accountability seem on first reading to be somewhat irrelevant to the main subject, but it has to be remembered that the book is intended primarily for students and others directly concerned with supplies administration for whom a knowledge of statutory provisions

as to accountability of officers, interest of officers and members in contracts, and audit provisions, is essential. From a local government aspect it would have been an improvement to give more information concerning the professional audit which applies to the greater part of the accounts and records of many borough councils. Eyebrows may be raised slightly to some comments under the heading of professional ethics where a possible difficulty is mentioned of a supplies officer being asked favours by a member of his authority. It is possibly a little outrageous to suggest that any circumstances could arise under which an officer could be deflected in the smallest degree from the path of rectitude and duty to his authority.

J. L. HAMPSHIRE.

BOOK NOTES

Conseil d'Etat et Juridictions Administratives

By M. LETOURNEUR and J. MERIC. Armand Colin (Paris), 1955. Pp. 204. 250 fr.

A USEFUL layman's guide in French to the history, powers, staffing and working of the Conseil d'Etat and of the inferior administrative courts. Comparisons are also attempted with similar tribunals in Belgium, the Netherlands, Italy and Germany. Although written primarily for the French public, this booklet should prove of value to English readers who are seeking a non-specialised account of administrative justice in France.

The Value of Good Design

Council of Industrial Design, Scottish Committee (Glasgow), 1954. Pp. 72 + 35. 2s.

THE body of this book contains summaries of the various papers given at Edinburgh in 1954 to the Scottish Design Congress. In addition there is an appendix of 35 pages of photographs which show examples of modern industrial design. The whole of the publication is most attractively produced, and it is very cheaply priced.

Law and Disorders

By SIR CARLETON ALLEN. Stevens, 1954. Pp. vii + 162. 10s. 6d.

IN this collection of light essays, Sir Carleton Allen touches, in a humorous vein, on some of the main legal problems to which modern civilisation has given rise. The book is enlivened by Leslie Starke's amusing drawings.

The Indian Ideal

By A. D. GORWALA. Nagpur University (Nagpur), 1955. Pp. 68. 1 rupee.

THIS booklet contains three lectures on "India and the Ideal of a Welfare State," delivered at Nagpur University in February, 1953. The subjects covered are Democracy and the Welfare State, Planning and the Welfare State, and Administration and the Welfare State.

The History and Treasures of Westminster Abbey (Film Strip and Notes)

Educational Productions Ltd., 1954. Pp. 12. 15s.

THIS film strip is based on the book of the same title which was written by Lawrence E. Tanner. It illustrates some of the art treasures in the Abbey, while the accompanying notes explain their importance in the nation's history.

The Essentials of Domestic Law in Summary Courts

By E. R. GUEST. Technical Press, 1955. Pp. 16. 2s.

A BRIEF survey by a Metropolitan Magistrate of the law as it applies to matrimonial cases.

Federalism, Finance and Social Legislation

By A. H. BIRCH. Oxford University Press, 1955. Pp. xiv + 314. 35s.

THIS is a comparative analysis of the problems of federal finance, in particular relation to social legislation. Although the main emphasis of the book is on inter-governmental financial relations in the United States, Canada and Australia, the author also considers in his concluding chapters the new or projected federations within the Commonwealth—India, Nigeria, the West Indies, and Central Africa.

The Evolution of Diplomatic Method

By SIR HAROLD NICOLSON. Constable, 1954. Pp. 93. 10s. 6d.

IN these Chichele Lectures, which were originally delivered at the University of Oxford in November, 1953, Sir Harold Nicolson surveys the development of diplomatic practice, from its origins in Greece and Rome, through its debasement in Byzantium and the Italy of the Renaissance and its refinement by the French in the seventeenth and eighteenth centuries, up to the birth of the New Diplomacy since 1919. The reader could not wish for a more scholarly, perceptive and

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informed treatment of this theme which the author has in a very real sense made his own.

The British Approach to Politics

By MICHAEL STEWART. Allen & Unwin, 1955. Pp. viii + 305. 16s.

A FULLY revised third edition of a useful introduction to Central and Local Government in Britain, and to the evolution of the Commonwealth. It is mainly intended for adult education classes and for Sixth Forms in secondary schools.

Social Welfare, Autumn, 1954

Manchester and Salford Council of Social Service, 1954. Pp. 23. 1s.

THIS issue contains the report of an enquiry into the finance of voluntary organisations engaged in social service in Manchester and Salford. The investigation showed clearly that voluntary effort remains of the greatest importance in spite of the great expansion of officially provided welfare services.

Federalism : An Australian Jubilee Study

Edited by GEOFFREY SAWYER. Angus and Robertson, 1953. Pp. 284. 39s. 6d.

THIS book contains the papers and discussions of two seminars on federalism which were held at the Australian National University, Canberra, in September and October, 1951, on the occasion of the Jubilee of the Commonwealth of Australia. The subjects covered include political and financial relations between the central and the provincial or state governments in Australia, Canada and Northern Ireland; the merits and demerits of centralised and devolutionary government; the impact of federalism on political parties and public administration; and the record of judicial review of the Australian Constitution. An appendix contains a summary of leading decisions of Australian courts.

The Structure of Local Government in England and Wales

By W. ERIC JACKSON. Longmans, 1954. Pp. xii + 261.

THE second edition of this study is substantially the same as the first one which

appeared in 1949. An addendum records briefly developments up to the end of 1953.

Fertility from Town Wastes

By J. C. WYLIE. Faber, 1955. Pp. 224. 25s.

THIS book by the County Engineer of Dumfries describes both the wasteful conventional methods of disposing of refuse and sewage, and the alternative composting treatment, by which organic wastes are returned to the soil and improve its fertility. The author's practical work in his own county lends added interest to this description, which is well illustrated and easily intelligible to the non-specialist.

Public Employee Retirement in Texas

By JOHN E. SWANSON and FRANCES A. MISKELL. Institute of Public Affairs, University of Texas (Austin), 1955. Pp. xi + 147. \$1.50.

A USEFUL survey of the development and present form of the provisions for the superannuation of state, county and municipal employees in Texas.

The Regulation of Businessmen

By ROBERT E. LANE. Yale University Press, Oxford University Press, 1954. Pp. xiii + 144. 30s.

MR. LANE, who is Assistant Professor of Political Science at Yale University, studies the psychological consequences of government economic controls. On the basis of information gleaned from interviews with businessmen and from statistical and other published data, he analyses the present relationship between businessmen and their regulators, and suggests ways of achieving the same results with less friction.

The Individualist

By NORMAN TIPTAFT. Norman Tiptaft (Birmingham), 1954. Pp. 326. 20s.

THE dominant themes of this autobiography of a former Lord Mayor of Birmingham, who was first elected to the City Council in 1918, are that the Welfare State is a palpable fraud and that the Britain of 1954 compares very unfavourably in every way with that of 1883. Those who do not share these views, and those

BOOK NOTES

who feel that the author is too persistent in emphasising his opinions in and out of season and too little restrained by the impulses of modesty, may nevertheless find this book a useful source of background information about the development of local government in a great city.

Administration of National Economic Control

By EMETTE S. REDFORD. Macmillan (New York), 1952. Pp. xvii + 403.

A COMPREHENSIVE description of the administrative arrangements which have evolved in the United States for control by the federal government of economic activities. Since the author believes that ignorance of the nature and practice of administration has vitiated past thinking on this problem, he has also included in this book some explanation of the more general aspects of administration.

Comparative Public Administration (with special reference to Bureaucracy)

International Political Science Association (27 rue Saint-Guillaume, Paris VII). Pp. 56. 7s. or \$1.

THIS is the report of a conference held in Paris in 1953. The papers discussed include "The Different Types of Bureaucracy in Modern Societies" (R. Aron); "Participation of the Citizen in the Process of Government" (D. N. Chester); "Post-war Trends in Public Personnel Administration" (E. Litchfield); and "New Areas for Research in Public Administration" (C. S. Ascher). The conference was attended by representatives of twelve countries.

Return of Rates, 1954-55

I.M.T.A., 1954. Pp. 127. 6s.

A FURTHER issue of the I.M.T.A.'s annual return of the rates levied, and of the rates levied per head of population, for all county boroughs and metropolitan boroughs and for a representative cross-section of non-county boroughs and urban and rural district councils. The average rate for each of these classes of authority shows an increase on the figures for 1952-53 and 1953-54.

The Study of Public Administration

By DWIGHT WALDO. Doubleday (Garden City, N.Y.), 1955. Pp. viii + 72. 95c.

THE aim of this well-known American writer is to provide an authoritative short introduction to the study of the various aspects of public administration. A select bibliography is given at the end of each chapter.

British Civil Service

THE October-December, 1954, issue of the *Political Quarterly* (7s. 6d.) is devoted to the British Civil Service and contains nine articles, mostly by well-known authorities. It is thus a welcome addition to the literature, even though there is the inevitable quota of well-known facts and ideas. Mr. Attlee's contribution, for example, throws little new light on the relations between Ministers and their senior advisers but makes worth-while reading, nevertheless. Several of the articles give what may be called a London University view of the Civil Service—a kind of cry of the have-nots—not nearly enough London graduates get into the Administrative Class. Professor Robson even asks the question whether the domination of Oxford and Cambridge graduates in the Administrative Class is possibly due to most of the examiners being appointed from those Universities! Elsewhere in his introduction to the essays Professor Robson makes two very interesting suggestions which deserve consideration. The first is that "the Treasury should appoint a standing Advisory Council on the Civil Service, consisting of leading civil servants, business men, industrialists, university teachers of politics or public administration, lawyers, journalists and other persons with experience of public life known to be well disposed towards the Civil Service." His second suggestion is that "the Government should publish an annual report on the Civil Service . . . giving factual information about [it] and the many new changes and improvements which are constantly being introduced in it."

Sir Edward Bridges and Sir John Woods make characteristic contributions and the Editor of this journal can only envy the Editor of the *Political Quarterly* in having secured them.

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American Civil Service

THREE new important reports dealing with the American Federal Civil Service are now available. The first two are published by the U.S. Government Printing Office and arise from the activities of the new Hoover Commission on the Organisation of the Executive Branch. There is the report of the Commission itself entitled *Personnel and Civil Service* (pp. 101, 40 cents) and the report of the Task Force under the Chairmanship of President Dodds, of Princeton,

under the same title (pp. 252, 75 cents) and both published in February, 1955. The third report (pp. 189, no price stated) has been produced under the auspices of the American Assembly—a national, non-partisan body founded by President Eisenhower in 1950 and centered on Columbia University. Together these reports provide a mass of data, much of it new, as well as analyses and comments on the contemporary problems of the American Civil Service.

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RECENT GOVERNMENT PUBLICATIONS

THE following official publications issued by H.M.S.O. are of particular interest to those engaged in, or studying, public administration. They are available for reference in the Library of the Institute.

Agricultural Land Commission

Land at Herne Bay and Whitstable, Kent. Report. pp. 18. Map. 1954. 2s.

Air estimates, 1955-56. H.C. 55. pp. 252. 8s. Memorandum by the Secretary of State for Air to accompany the estimates. Cmd. 9397. 6d.

Army estimates, 1955-56. H.C. 47. pp. 228. 8s. Memorandum relating to the Army estimates by the Secretary of State for War. Cmd. 9395. pp. 22. 9d.

Board of Trade

The Commonwealth and sterling area. 74th statistical abstract, 1950-1953. pp. 298. 1955. 15s.

Central Statistical Office

Economic trends, December, 1954, January and February, 1955. 2s. each.

Civil appropriation accounts (Classes I-V, 1953-54, with the report of the Comptroller and Auditor General thereon). H.C. 15. pp. xxxii, 325. 11s. 6d.

Colonial Office

Colonial Development and Welfare Acts. Report on the administration and use of the funds provided. Cmd. 9375. pp. 32. 1955. 1s.

Colonial research, 1953-1954. pp. 278. 1954. 7s. 6d. Reports from eleven scientific and research bodies.

Report by H.M. Government . . . to the General Assembly of the United Nations on the administration of the Cameroons under United Kingdom Trusteeship for the year 1953. pp. xii, 228. Illus. 3 maps. 1954. 12s. 6d.

Commissioners of Customs and Excise
45th report, for the year ended 31st March, 1954. Cmd. 9358. pp. 194. 1955. 7s.

Commissioners of Inland Revenue

97th report, for the year ended 31st March, 1954. Cmd. 9351. pp. 135. 1955. 5s.

Committee of Public Accounts

Special report, and first, second and third reports, session 1953-54. H.C. 67-1; 183-1; 231-1. pp. lxxxviii, 531. 1954. 21s.

Committee on Air Pollution

Report. Cmd. 9322. pp. 80. 1954. 2s. 6d.

Commonwealth Economic Committee

Annual report. 1953-54. pp. 10. 9d.

Commonwealth Relations Office. List, 1955. pp. 267. 21s. An invaluable handbook to the constitution, executive and organisation of all the Commonwealth territories.

Council for Wales and Monmouthshire
Report on the South Wales ports. Cmd. 9359. pp. 26. 1s. 3d.

Department of Health for Scotland

Inter-departmental Committee on Slaughterhouses (Scotland) Report. Cmd. 9376. pp. 48. Map, plan. 1955. 2s.

Exchequer and Audit Department

Revenue departments. Appropriation accounts, 1953-54. H.C. 288. 1954. 1s. 6d.

Foreign Office

(Miscellaneous No. 1, 1955.) Comments on the seventh report from the Select Committee on Estimates, 31st January, 1955. Cmd. 9377. 6d.

General Registry Office, Scotland

Ninety-ninth annual report of the Registrar General for Scotland, 1953. pp. 441. 1954. 11s.

Her Majesty's Inspectors of Constabulary, counties and boroughs, England and Wales

Report for the year ended 30th September, 1954. H.C. 50. 1s. 3d.

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Home Office

First periodical report of the Boundary Commission for England. Cmd. 9311. pp. 68. 5 folding maps, in pocket. 1954. 12s. 6d.

First periodical report of the Boundary Commission for Northern Ireland. Cmd. 9314. pp. 5. 1954. 4d.

First periodical report of the Boundary Commission for Wales. Cmd. 9313. pp. 10. Folding map in pocket. 1954. 3s.

Statement showing electorates of existing constituencies which are proposed to be altered. Cmd. 9319. pp. 11. 1954. 6d.

Statement showing electorates of local government areas in counties affected by the recommendations of the Boundary Commission for England. Cmd. 9360. pp. 27. 1s.

House of Commons

Parliamentary debates. Standing committees, session 1953-54. Vol. 1. pp. irreg. £2 15s. Debates on 17 bills, including the Cotton Bill; Protection of birds; Pool betting; Hire-purchase. Much important information is given in these debates which is not repeated in the House itself.

Standing orders, 1954. pp. x, 310. 10s.

Imperial War Graves Commission. 35th annual report, 1953-54. pp. 51. Coloured frontispiece, 24 illus. 1955. 2s. 6d.

International Labour Conference, Geneva, June, 1954. Report by the Delegates of H.M. Government. Cmd. 9374. pp. 34. 1955. 1s. 6d.

Iron and Steel Board

Development of the iron and steel industry, 1953-1958. H.C. 49. pp. 42. 1955. 1s. 9d.

Lord Chancellor's Office

Fourth report of the Law Society on the operation and finance of Part I of the Legal Aid and Advice Act, 1949. pp. 40. 1954. 1s. 6d.

Ministry of Defence

Estimates, 1955-56. H.C. 57. pp. 19. 9d.

Ministry of Education

Early leaving: a report of the Central

Advisory Council for Education (England). pp. vii, 99. 1954. 3s. 6d.

Chief Medical Officer. The health of the school child: report for the years 1952 and 1953. pp. 149. 1954. 5s.

Ministry of Health

Hospital costing returns, year ended 31st March, 1954. pp. 123. 1954. 17s. 6d.

Report for the year ended 31st December, 1953. Part I—The National Health Service. II—Welfare, food and drugs, civil defence. Cmd. 9321. pp. xviii, 291. 8s.

Ministry of Housing and Local Government

Local government financial statistics, England and Wales, 1952-53. pp. 16. 1954. 9d.

New homes for old: improvements and conversions. pp. viii, 67. 86 illus. 1954. 3s. 6d.

Public cleansing: refuse collection and disposal. Street cleansing. Costing returns, 1953-54. pp. 52. 1955. 4s. 6d.

Ministry of Labour and National Service

Annual report of the Chief Inspector of Factories for the year 1953. Cmd. 9330. pp. 257. 1954. 6s. 6d.

Interim report of a Court of Inquiry into a dispute between the British Transport Commission and the National Union of Railways. Cmd. 9352. pp. 7. 1954. 4d.

Final report of a Court of Inquiry into a dispute between the British Transport Commission and the National Union of Railways. Cmd. 9372. pp. 28. 1955. 1s.

Ministry of Pensions and National Insurance

Memorandum on the National Insurance Bill, 1954. Cmd. 9338. pp. 8. 4d.

National insurance retirement pensions: reasons given for retiring or continuing at work. pp. vi, 136. 1954. 5s.

Report by the Government Actuary on the financial provisions of the Bill. Cmd. 9332. pp. 8. 1954. 4d.

Ministry of Transport and Civil Aviation

Report of the Committee of Enquiry into London Transport. pp. viii, 111.

RECENT GOVERNMENT PUBLICATIONS

Maps, etc. 1955. 5s. Committee was appointed on 8th July, 1953, to ascertain what practical measures can be taken in order to secure greater efficiency or economy. Evidence is in Part II of the report.

National Insurance (Industrial Injuries) Act, 1946. Report by the Government Actuary on the first quinquennial review. H.C. 22. pp. 28. 1s. 3d.

National Parks Commission

Fifth report, for the year ending 30th September, 1954. H.C. 6. pp. iv, 56. 5 illus., 2 maps. 1954. 3s. 6d.

National Research Development Corporation

Report and statement of accounts for the year 1st July, 1953, to 30th June, 1954. H.C. 27. 1955. 9d.

Navy estimates, 1955-56. pp. 325. 10s. 6d. Explanatory statement by the First Lord of the Admiralty. Cmd. 9396. 9d.

North of Scotland Hydro-electric Board Report and accounts for the year 1954. H.C. 54. pp. 67. 6 illus. 2 maps. 2s. 6d.

Overseas Food Corporation

Report and accounts for 1953-54. H.C. 296. pp. iv, 70. 2s. 6d.

Post Office

Commercial accounts, 1953-54. H.C. 299. pp. 54. 1954. 2s. 6d.

Road Haulage Disposal Board

Third report, for the six months ended 28th November, 1954. H.C. 4. pp. 14. 1954. 9d.

Royal Commission on Population

Papers, vol. vi. The trend and pattern of fertility in Great Britain: a report on the family census of 1946. Part I—Report; Part II—Tables. 70s. for the two parts. 1954. By D. V. Glass and E. Grefenik.

Scottish Education Department

The structure of further education salaries. Cmd. 9365. pp. 23. 1955. 9d. Report of a working party which recommends that recognition should be given to the special conditions necessary, by means of inclusive salary scales.

Scottish Office

First periodical report of the Boundary Commission for Scotland. Cmd. 9312. pp. 16. Folding map. 1954. 5s.

Select Committee on Estimates, 1954-55

Second special report—Departmental replies: 1, The Foreign Service. 2, Royal Air Force non-flying establishments. H.C. 61. 9d.

Fifth special report—Departmental replies. Grants in aid; British Field Products Limited; Fire services; Regional organisations of government departments. H.C. 292. pp. 14. 1954. 6d.

Seventh report—The Foreign Service. H.C. 290. pp. xliv, 285. 1954. 11s. 6d. Proceedings of the Committee, minutes of evidence and 20 appendices containing important financial and other statistics.

Eighth report—Royal Air Force non-flying establishments. H.C. 291-1. pp. xxx, 389. 15s.

State Management Districts

Annual report for the year ended 31st March, 1954. H.C. 300. pp. 7. 4d.

Trading accounts and balance sheets, 1953-54, with the report of the Comptroller and Auditor General thereon. H.C. 298. pp. xviii, 187. 7s. 6d.

Treasury

The Colombo Plan; the third annual report of the Consultative Committee on Economic Development in South and South-East Asia, Ottawa, October, 1954. Cmd. 9336. pp. 124. 4s.

Public boards: list of members of public boards of a commercial character as at 1st November, 1954, with salaries and allowances. Cmd. 9344.

Report by the Government Actuary on the first quinquennial review of the National Insurance Act, 1946. H.C. 1. pp. 60. 1954. 2s. 6d.

Report of the Committee on the Economic and Financial Problems of the Provision for Old Age. Cmd. 9333. pp. iii, 120. 1954. 4s.

Staffs employed in Government departments on 1st October, 1954. Cmd. 9325. pp. 2. 3d.

Organisation and Methods Division. Machines and appliances in government offices. Revised. pp. 71. Illus.,

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charts. 1954. 7s. 6d. Intended to suggest possibilities of mechanisation in fields where it is not always obvious that there is scope for it. The previous edition of this publication appeared in 1947.

Organisation and Methods Division. The practice of O. & M. pp. iv, 48. 1954. 5s. The methods employed in the study of office organisation and procedures, but the procedures themselves are not discussed.

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THE NEW WHITEHALL SERIES

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